

وزارة الخارجية

مصر و مكافحة الإرهاب

(مواجهة الدبلوماسية المصرية لتحديات الإرهاب)

القاهرة ٢٠١١



وزارة الخارجية المصرية



مصر ومكافحة الإرهاب

(مواجهة الدبلوماسية المصرية لتحديات الإرهاب)

Egypt and Counter-Terrorism

(Egyptian Diplomacy and Challenges of Terrorism)

القاهرة ٢٠١١

Cairo 2011



الطبعة الأولى: ١٤٣٢هـ - ٢٠١١م

بطاقة فهرسة

فهرسة أثناء النشر إعداد الهيئة العامة لدار الكتب والوثائق القومية

إدارة الشئون الفنية

مصر . وزارة الخارجية

مصر ومكافحة الإرهاب: (مواجهة الدبلوماسية المصرية لتحديات الإرهاب) =

Egypt and Counter-Terrorism

(Egyptian Diplomacy and Challenges of Terrorism)

ط١.- القاهرة: وزارة الخارجية، ٢٠١١.

٥٩٦ ص ؛ ٢٤ سم.

تدمك ٧ ٢٩٠ ٤٦٨ ٩٧٧ ٩٧٨

١ - الإرهاب - مصر

أ - العنوان

٣٦٤,١٣١

اسم الكتاب: **مصر ومكافحة الإرهاب**

تقديم: **أحمد أبو الغيط**

إعداد: **هشام محمد الزميتي**

تنفيذ: مكتبة الآداب

رقم الإيداع: ٢٤٨٤٩ لسنة ٢٠١١م

الترقيم الدولي: I.S.B.N. 978 - 977 – 468 - 270 – 7

١١٦٤ كورنيش النيل - ماسبيرو القاهرة

١١٥٣١ - مصر

العنوان الإلكتروني

www.mfa.gov.eg

Egypt and Counter-Terrorism

(Egyptian Diplomacy and Challenges of Terrorism)

من كلمات الرئيس محمد حسنى مبـارك

لقد أقسمت أمام الله والوطن أن أحفظ أمن مصر القومى وأمان مواطنيها. وان هذا القسم هو عهد ومسئولية وأمانة. وأقول بكلام واضح أن أمن الوطن واستقراره يمثلان خطاً أحمر لا أسمح لأحد بتجاوزه.

وبإذن الله سوف نكسب معركتنا مع الإرهاب. سنحاصره ونقتلع جذوره ونجفف منابعه. سنتعامل بقوة القانون وحسمه مع التطرف ومحاولات الدس والوقيعة. وستبقى مصر وطناً آمناً مستقراً لكل المصريين.

لقد أثبت الشعب المصرى دائماً حرصاً لا يتزعزع على وحدته الوطنية وتماسك جبهته الداخلية. فأى محاولة للنيل من استقرار مصر إنما تستهدف النيل من إستقرار الشرق الاوسط. ونحن واعون لذلك تماماً. وشعب مصر يتصدى لمحاولات الوقيعة بين مسلميه واقباطه كما يتصدى بثقة وحزم لمخاطر التطرف والإرهاب.

إننا نطالب العالم بالتكاتف للتعامل مع أسباب الإرهاب والقضاء عليها من خلال مواجهة عالمية شاملة تحت مظلة الأمم المتحدة وفى إطار مؤتمر دولى. فإذا نجحنا فى هذا العمل نكون قد خلصنا البشرية من آفة خطيرة تهز كيانها وتعصف بأمنها وسلامتها، وفتحنا صفحة جديدة تبشر بمزيد من الأمل لكافة الشعوب والقوى المحبة للسلام.

الرئيس محمد حسنى مبارك
محذراً من مخاطر الإرهاب، ومؤكداً دور مصر الفعال
فى طليعة الجهود الدولية للقضاء على الإرهاب بشتى صوره

تقديم

بقلم

أحمد أبو الغيط

وزير خارجية

جمهورية مصر العربية

تقديـم بقلـم السيد أحمـد أبـو الغيــط
وزيـر خارجيـة جمهوريـة مصــــر العربيــة

أن الأعمال الإرهابية سواء قام بها أفراد أو جماعات أو دول هى فى مفهومها الواسع إفساد فى الأرض، وهى أنشطة مرفوضة دينياً وقانونياً وأخلاقياً، ينبغى التصدى لها والوقوف بحزم فى وجهها. ومصر التى كانت من أكثر الدول معاناة من الجرائم الإرهابية الهدامة، لم تتوقف يوماً عن دعوة المجتمع الدولى لتكثيف جهود مكافحة الإرهاب درءاً لشروره ومخاطره على إستقرار العالم وأمن الإنسانية، وعلى الأنظمة السياسية، ومساسه بمستقبل التنمية الاقتصادية والاجتماعية للدول المختلفــــة.

وتؤمن مصر بأن الإسلام دين يدعو إلى العفو والتسامح، وينبذ العنف والإرهاب بكل صوره وأشكاله، وبأن الإرهاب لا علاقة له بأى حضارة أو ثقافة، ولا يعكس التعاليم السمحة لأى من الأديان التى تبشر بالأخوة وتدعو إلى التعايش فى سلام بين البشــر.

وكان طبيعياً أن تأتى مكافحة الإرهاب واقتلاع جذوره ومعالجة أسبابه فى مقدمة أولويات الأمن القومى المصرى. إذ ترفض مصر، كما يرفض الإسلام، كل أشكال العنف والإرهاب والتطرف والاعتداء على الغير بدون وجه حق والإساءة إلى الرسل والرموز الدينية. وتدين مصر كل عمل إرهابى يستهدف الأبرياء من المدنيين العزل ويهدد أمن مواطنيه بصرف النظر عن مرتكبيه سواء كانوا أفراداً أو جماعات أو

دول. وتنتهج مصر منذ سنوات عديدة خطأ سياسياً واضحاً يطالب بضرورة الإسراع بمعالجة جذور الإرهاب وإزالة أسبابه الكامنة، خاصة السياسية والاقتصادية والأمنية، من خلال القضاء على بؤر التوتر، وعلى إزدواجية المعايير فى تطبيق الشرعية الدولية، وإنهاء الاحتلال الأجنبى، والإعتراف بحق الشعوب في تقرير مصيرها، وتنادى مصر بتوقف الدول عن ممارسة إرهاب الدولة، وإنهاء منابع الظلم والإعتداء على حقوق الإنسان وكرامته، وبإيلاء ضحايا الإرهاب فى كل مكان الإهتمام والرعاية اللازمـــــــــة.

كما تؤكد مصر ان استمرار فشل المجتمع الدولى في التعامل مع القضايا الشائكة، وفى مقدمتها القضية الفلسطينية، وغيرها من حالات الاحتلال والظلم والعنصرية إنما يوفر الذريعة والأرض الخصبة لأصحاب الأفكار المتطرفة للإستمرار فى نشر أفكارهم والترويج لها فى كل أرجاء المعمـــــــــورة.

وتؤمن مصر بأهمية أن تتحالف الحضارات لنبذ العنف والكراهية ومحاربة أسباب الإرهاب والعنصرية. فالإرهاب آفة حقيقية لأنه مخالفة صريحة لأحكام الشرائع السماوية، والإرهابيون يمزقون وحدة الأمة أينما وجدوا، يشعلون الفتن فيها ويدمرون إقتصادها ويجهضون النماء والرفاهية والتقـــــــــدم.

وتتمسك مصر بضرورة وضع حدود واضحة لشعار الحرب ضد الإرهاب، حتى لا يتحول إلى مفهوم حرب ضد الإسلام. كما تدين مصر بكل قوة الإثارة والتحريض، بشكل مباشر أو غير مباشر، على الإرهاب من خلال تعمد الإساءة للأديان والثقافات بما يؤدى إلى زيادة

حدة التعصب والعداء خاصة تجاه الجاليات الإسلامية فى المجتمعات الغربيـــــــــــة.

ولقد وضعت مصر خططاً فعالة لمقاومة الإرهاب والتطرف تقوم على مبدأ الحسم القانونى والأمنى والإجهاض المبكر لكافة مخططات عناصر الإرهاب، وذلك في إطار استراتيجية شاملة لمكافحة هذه الظاهرة بكافة أبعادها السياسية والاقتصادية والاجتماعية. كما ساهم دبلوماسيوها فى المفاوضات الدولية الشاقة التى أسفرت عن ثلاث إتفاقيات اقليمية، واحدة تحت مظلة جامعة الدول العربية، وأخرى أقرتها الدول الأعضاء فى منظمة المؤتمر الإسلامى، وثالثة فى إطار منظمة الوحدة الأفريقية، إنضمت مصر إليها، بالاضافة الى التصديق على أهم الاتفاقيات الدولية فى مجال مكافحة الإرهـــــاب.

ويسعد وزارة الخارجية، فى إطار دورها الوطنى الرائد، أن تصدر هذا الكتاب الأبيض الوثائقى بعنوان "**مصـــــر ومكافحة الإرهــــاب: مواجهــة الدبلوماسيــة المصريــة لتحديــات الإرهــاب**" الذى يعرض حجم جهود الدبلوماسية المصرية المتصلة لمكافحة الإرهاب على الساحة الدولية، ويشمل نصوص كافة الإتفاقيات الدولية والإقليمية فى مجال مكافحة الإرهاب التى إنضمت إليها مصر منذ عام ١٩٣٧، بالإضافة إلى أهم قرارات الجمعية العامة للأمم المتحدة ومجلس الأمن ذات الصلة، ليكون شاهداً على مساعى دبلوماسية مخلصة إسهاماً فى تحقيق الأمن والإستقرار لمصـــر العظيمـــــــــة.

أحمـد أبـو الغيـــــــط
وزيـر خارجيــة جمهوريـــــة مصــــر العربيـــة

القاهرة فى أول يناير ٢٠١١

تقديــــر خـــــاص

للسفير هشام محمد الزميتــى

مساعد وزير الخارجية لشئون المنظمات الدوليـة

لإشرافـه على إعداد وإخـراج هذا الكتـاب الوثائقـــى القيـم،

وشكـــــر خـــــــاص

للوزيرالمفوض د أشرف محسن محمـد

نائب مساعد وزير الخارجية، ومنسق مكافحة الإرهـاب

على خبراتـــه وجهـــوده المتميــــــزة

وشكــر على إسهامـــات كـل مـن

السكرتيـر ثالـث محمد سميـر برهـــــان

والملحق الدبلوماسى عمرو نصرالديـن السيـد

والملحقة الدبلوماسية نـوران عمـر عطيــه

مقدمـــــــــــة

كانت مصـــــر دوماً فى طليعة الدول التى طالبـــت، ولازالـــت تطالـــب، المجتمع الدولى بالتكاتف من أجل القضاء على آفة العصر، أى ظاهرة الإرهـــاب الدولى. وطالما حذر الرئيس محمد حسنى مبارك العالم كله، ومنذ سنوات طويلة، من أخطار الإرهاب الذى لا يفرق بين أجناس وأديان، والذى إعتقد البعض إنـــه نشط فى منطقة معينة دون أخرى، غير أن الحقيقة أثبتت أنه لا وطن للإرهـــاب الذى أصبح ظاهرة عالمية عبرت كل الحدود. إنه خنجـــر مسمـــوم يرتد إلى قلب من يحميـــــــــه.

وتتلخص المبادىء الأساسية لموقف مصر من أنـــشطة الإرهـــاب وســـبل مواجهتها فى ضرورة تجنب الخلط بين العمليات الإرهابية التى تنشر الذعر بـــين المواطنين الآمنين، وبين حركات التحرر الوطنى التى تلجأ إلى الكفـــاح المـــسلح للتخلص من الإحتلال وتمكين الشعوب من ممارسة حقها الطبيعى المشروع فـــى تقرير مصيرها على النحو الذى أقرته المواثيق الدولية، والتي استبعدت من دائرة الإرهاب نضال الشعوب ضد السيطرة الاستعمارية والاحـــتلال الأجنبـــى، بغيـــة ممارسة حقها فى تقرير المصير، كما يجسد ذلك ميثاق الأمم المتحـــدة وإعـــلان مبادئ القانون الدولى الخاص بالعلاقات الودية والتعاون بين الدول فـــى مكافحـــة العمليات الإرهابيـــــة.

وإن إدانة مصر للعمليات الإرهابية لا تمتد إلى إطلاق الأحكام العامة على الشعوب وتشويه صورتها فى الأذهان، لأنه من مصلحة المجتمع الـــدولى عـــزل الفئة القليلة التى تحترف الإرهاب وتجاهر به على المـــــــلأ.

وتؤكد مصر أهمية **عقد مؤتمر دولي تحت رعاية الأمم المتحدة**، يأخذ في الإعتبار جميع الاتفاقيات الدولية المعنية بالإرهاب الدولى بهدف عقد إتفاقية شاملة تعالج كافة النواحى المتصلة بالإرهاب، وشكل وإطار التعاون المطلوب بين الدول للتصدى له وردعه، ويدخل فى هذا التبادل المعلوماتى بـــين الأجهـــزة المعنيـــة

برصد المخططات الإرهابية والأفراد والجماعات المتورطة فيها، وتدريب وحدات خاصة على مواجهة الإرهاب والإرهابيين، وتوفير الوسائل التى تستخدم فى تلـــك المواجهة، والتعاون للقبض على الإرهابيين وتسليمهم والتحقيق معهم ومحاكمتهم، وكذلك ما يتبع من إجراءات جماعيـــة إزاء الـــدول التـــي تـــساعد الإرهـــابيين وتحرضهم، بصورة تضمن أن لا تأخذ هذه الإجراءات الرادعـــة طـــابع العـــداء لجماعة قومية أو لمجموعة من الدول أو تنبع من انحياز سياسى معين، بل تكـــون مرتبطة بعامل واحد هو مسلك تلك الحكومات إزاء الإرهـــــــاب.

ولقد حرصت مصر دوماً على أن توضح للعالم أجمع أن الإسلام برئ من الإتهامات الجزافية بدعمه للإرهاب. فقد عزز عـــدد مـــن العوامـــل مـــن فرص إستهداف الغير لدول العالم الإسلامى كغياب صورة واضحة عن الإســـلام وتعاليمه السمحة في الدول غير الإسلامية على النحو الذى أتاح الربط، دون حق، بين الإسلام ومفاهيم التطرف والمغالاة والعنف والرغبة في تدمير الغير، وســـاعد على ذلك ما قامت به قلة متشددة من أفعال غير مسؤولة خالفت بها كافـــة تعـــاليم الإسلام. لذا، فمن الضرورى تكاتف الجهود الدولية لملاحقة الخلايـــا الإرهابيـــة وعناصرها في كل مكان وأن يقوم تعاون دولى بين الأجهزة الأمنية لهذا الغرض، وأن تتم ملاحقة مصادر تمويل الإرهاب عبر الشبكة المالية الدولية، فـــضلاً عـــن أهمية التعامل مع جذور الإرهاب وإجتثاثهـــــــا.

ولقد كانت رؤية الرئيس مبـــــارك ثاقبة حين نادى محذراً فى هذا الصدد "**إن سيف الإرهاب سيطال الجميع**" . وطرح زعيم مصر مبادرتـــه فـــى جميـــع المحافل الدولية والإقليمية، وأشار إليها فى عدد كبير من أحاديثـــه وتـــصريحاته ولقاءاته بما يعكس مدى عمق رؤية القيادة المصرية وفهمها الصحيح والمتعمـــق لخطورة الإرهاب على الإستقرار العالمى.

فقد أتاح إنتماء معظم الشعوب التي مازلت تعانى من الاستعمار والاحتلال إلى العالم الإسلامي تصوير سعى هذه الدول والشعوب نحو الحرية وتقرير المصير على أنه عدوان ضد الحضارات والديانات الأخرى. كما إن الارتباط فى المصالح بين الأمم والشعوب وما يترتب عليه من تحالفات سياسية

وإقتصادية وعسكرية زاد من تدخل العنصر العقائدى في تشكيل السياسات التى تنتهجها الدول وأحيا مفاهيماً قديمة عفا عليها الزمن كمفاهيم الحروب الصليبية، بما ينذر بظهور حالة من الصراع بين الأديان قد تقود العالم إلى موجة جديدة من التطرف. لذا، فقد وضعت مصر إستراتيجية فعالة لمقاومة الإرهاب والتطرف تقوم على مبدأ الحسم القانوني والامنى والاجهاض المبكر لكافة تحركات عناصر الإرهاب.

ولعلنا نذكر جميعاً انه قبل أن تقع الحوادث الإرهابية الشهيرة بسنوات طويلة، أثبت زعيم مصر بعد نظر وقراءة صحيحة لمجريات الأمور. ففى يوم ٢٨ يناير ١٩٨٦ إستعرض الرئيس مبارك موقف مصر من قضية الإرهاب خلال خطابه الشامل أمام الجمعية البرلمانية لمجلس أوروبا، الذى إجتمع بكامل هيئته فى ستراسبورج للإستماع إلى قائد مصر الذى قال:

"إن القضية التي أود أن أطرحها عليكم هى ظاهرة الإرهاب المتزايد علي الصعيد الدولى، وضرورة تبنى المجتمع الدولى لسياسة حازمة فعالة لمواجهتها. ويدفعنى الي طرح هذه القضية للمناقشة من هذا المنبر، إيمانى بأنها تشكل تهديداً خطيراً لسلامة المجتمع الدولى، بل وللمدنية التي أقامها الإنسان طوال القرون الماضية، كما انها تعتبر خرقاً للمبادئ التي أجمعت عليها الشرائع السماوية وكافة النظم القانونية. ويدفعنى الى مناقشتها معكم ايضاً، أن مجلسكم الموقر بادر بإبرام الاتفاقية الاوروبية لقمع الإرهاب عام ١٩٧٧، وهو ما يكشف عن الإهتمام الخاص الذي تولونه لتلك الظاهرة المؤسفة التى استفحلت وانتشرت أضرارها فى السنوات الاخيرة.

ونحن نعلم أن المجتمع الدولى قد قطع شوطاً في مواجهة هذا الخطر، بواسطة إبرام اتفاقيات دولية، أبرزها اتفاقية طوكيو الموقعة عام ١٩٦٣ واتفاقية لاهاى لعام ١٩٧٠ واتفاقية مونتريال لعام ١٩٧١، والاتفاقية الدولية لمناهضة خطف الرهائن الموقعة عام

١٩٧٩، كما ان الأمم المتحدة بادرت باتخاذ عدة خطوات في هذا الصدد، أخرها قرار الجمعية العامة للأمم المتحدة الصادر فى ٩ ديسمبر ١٩٨٥، وبيان رئيس مجلس الأمن الصادر فى ٣ ديسمبر ١٩٨٥ إثر الاعتداء على مطارى روما وفيينـــــــا.

غير ان الواجب يقضى بأن نسلم بأن هناك ثغرات عديدة فى المواجهة الدولية لتلك الظاهرة، سواء بسبب النقص القائم في الاتفاقيات التي وقعت حتى الآن، وعجزها عن مواجهة الصور المستحدثة للإرهاب مثل احتجاز السفن وركابها، أو نتيجة لضآلة عدد الدول التي صدقت على تلك الاتفاقيات، أو بسبب إهتزاز الصورة لدى بعض الشعوب فيما يتعلق بالأهداف الحقيقية للحملة الموجهة ضد الإرهـــــــــاب.

ولمواجهة هذا الواقع، أود ان أقترح عليكم بعض الخطوط العامة التي أحبذ الإهتداء بها عند النظر في موضوع مكافحة الإرهاب، ثم أضع أمامكم تصور مصر لمنهج التعامل معه فى الأشهر القادمة.

وأول هذه الخطوط العامة التي يجب الإلتزام بها هو تجنب الخلط بين العمليات الإرهابية، التى نشجبها وندينها فى كل مكان، وبين حركات التحرر الوطنية التى تضطر الي الإلتجاء الي الكفاح المسلح للتخلص من احتلال التراب الوطنى وتمكين الشعوب من ممارسة حقها الطبيعي في تقرير مصيرها، علي النحو الذى اعترفت به اتفاقيات جنيف لعام ١٩٤٩، والاتفاقية الدولية لمناهضة خطف الرهائن، التى استبعدت من دائرة الإرهاب الأفعال التى ترتكب أثناء النزاعات المسلحة، بما في ذلك تلك التي تناضل فيها الشعوب ضد السيطرة الاستعمارية والإحتلال الأجنبى ونظام الحكم العنصرى، ممارسة لحقها في تقرير المصير، كما يجسده ميثاق الامم المتحدة واعلان مبادئ القانون الدولى الخاصة بالعلاقات الودية والتعاون بين الدول.

وثانى هذه الخطوط العريضة هو أن حرصنا على مكافحة العمليات الإرهابية وإدانتها يجب ألا يمتد الي إطلاق الأحكام العامة علي الشعوب وتشويه صورتها في الأذهان، لأنه من مصلحة المجتمع الدولي عزل الفئة القليلة التي تحترف الإرهاب وتجاهر به.

ويهمني هنا أن أقرر أنه من الخطأ الجسيم أن تلصق تهمة الإرهاب بالشعب الفلسطينى أو أتباع مذاهب دينية معينة، كما انه من الظلم البين أن يقال ان ظاهرة الإرهاب قد ولدت في منطقة جغرافية معينة. وأضيف ان منظمة التحرير الفلسطينية أثبتت إلتزامها بمبادئ الشرعية الدولية حين أصدرت إعلان القاهرة في ٧ نوفمبر ١٩٨٥، وضمنته تفرقة واضحة بين الأعمال الإرهابية ومقاومة الاحتلال الاجنبـــــــى.

وبعد أن تحدثنا عن المحاذير الأساسية فى التصدى لظاهرة الإرهاب، أود ان أطرح عليكم رؤية مصر للمنهج العملى المقبول لتحقيق هذا الهدف، وأن ابدأ هذا العرض الموجز بالتذكير بأن مصر كانت في طليعة الدول التي انضمت الى كافة الاتفاقيات الدولية التى أشرت اليها، كما انها كانت على الدوام سباقة الى التعاون مع الدول الصديقة التي تبدى اهتماماً خاصاً بمكافحة الإرهـــــــاب.

ويتلخص هذا المنهج المقترح في **عقد مؤتمر دولى تحت رعاية الأمم المتحدة**، مع إعادة النظر في جميع الاتفاقيات الدولية المعنية بمكافحة الإرهاب الدولى، بهدف عقد اتفاقية شاملة لردعه. ويجب ان تعالج الاتفاقية المقترحة كافة النواحى المتصلة بالإرهاب والتعاون المطلوب بين الدول للتصدى له وردعه، ويدخل في هذا تبادل المعلومات بين الأجهزة المختصة، عن المخططات الإرهابية والأفراد والجماعات المتورطة فيها، وتدريب وحدات خاصة على مواجهة الإرهاب والإرهابيين، وتوفير الوسائل التي تستخدم في تلك

المواجهة، والتعاون للقبض على الإرهابيين وتسليمهم والتحقيق معهم ومحاكمتهم، وكذلك مايتبع من إجراءات جماعية إزاء الدول التي تساعد الإرهابيين وتحرضهم بصورة تضمن أن لا تأخذ هذه الاجراءات الرادعة طابع العداء لجماعة قومية أو لمجموعة من الدول، أو تنبع من انحياز سياسي معين، بل يجب ان تكون مرتبطة بعامل واحد هو مسلك تلك الحكومات إزاء الإرهاب البغيـــض.

ولكي يؤتي هذا المؤتمر ثماره المرجوة، فلابد أن تسبقه إتصالات ومشاورات مكثفة، تستخلص منها الشعوب في قارات العالم المختلفة الأهداف الحقيقية لهذا التحرك، وتتأكد من أنه ليس المقصود إقامة تكتلات جديدة تعادى مطالبها وأمانيها المشروعة. ولابد ان يكون التحرك الدولى فى هذا الاتجاه جماعياً شاملاً لا تنفرد فيه دولة أو مجموعة اقليمية أو سياسية معينة بالرأى، أو تتحرك بمعزل عن باقى الدول، حتي نوفر لتلك المواجهة الجديدة قاعدة عريضة من القبول الدولى العام لخطواتها ومراميها.

إننا إذا نجحنا في هذا العمل نكون قد خلصنا البشرية من آفة خطيرة تهز كيانها وتعصف بأمنها وسلامتها، وفتحنا صفحة جديدة تبشر بمزيد من الأمل لكافة الشعوب والقوى المحبة للســـــــلام".

ولم تتوقف جهود مصر عند هذا الحد، بل أنه خلال **القمة الثامنة لحركة عدم الإنحياز** جاءت كلمات الرئيس محمد حسنى مبـــارك واضحة وقوية حين خاطب زعماء الحركة المجتمعين فى هرارى عاصمة زيمبابـــوى الشقيقة يـــوم ٥ سبتمبر ١٩٨٦ قائــــــلاً:

"لا يسعنى ونحن فى هذا المحفل إلا أن أشير إلى ظاهرة أصبحت تهدد كيان حركتنا هى ظاهرة الإلتجاء إلى العنف، وما تعارفنا على وصفه بالإرهاب الدولى. لقد عانى المجتمع الدولى أفراداً وجماعات ودولاً من هذه الآفة التى تشكل تهديداً سافراً لحقوق الإنسان، فأدرك

*أهمية تضافر جهوده للتصدى لها وردعها لكفالة الأمن الإجتماعى والاقتصادى لكافة الدول ومواطنيها. وإيماناً منا بأهمية تبنى سياسة فعالة تقوم على أسس قانونية، فقد اقترحت مصر **عقد مؤتمر دولى تحت رعاية الأمم المتحدة للتصدى لظاهرة الإرهاب الدولى**. ونحن مازلنا على رأينا فى أن هذه الآفة تتطلب معالجة جماعية، أى معالجة دولية تتدارك جوانب النقص القائمة فى الاتفاقيات الدولية ذات الصلة لمواجهة ما يتعرض له المجتمع الدولى من تهديدات مستمرة وصور جديدة لهذه الظاهـــــــرة".*

أما فى ٢٧ يناير ١٩٨٧ فقد قال الرئيس مبارك في كلمته أمام **مؤتمر القمة الإسلامـــــــى الخامس** الذى انعقد فى الكويـــــــت الشقيقة

"أن مصر نبهت منذ ما يزيد على عام إلى ضرورة التصدى لظاهرة الإرهاب والكشف عن دوافعها وآثارها السياسية والإقتصادية والنفسية، وأن مصر دعت إلى التفرقة بين أعمال الإرهاب المستنكرة، وبين النضال الذي تخوضه حركات التحرير الوطنى للخلاص من الاحتلال الأجنبي والإستعمار والسيطـــــرة".

كما جاء في تصريحات الرئيس مبارك عقب إجتماعات **قمة صانعى السلام فى شرم الشيخ** التى استضافتها مصر فى ١٣ مارس ١٩٩٦

"إن العمليات الإرهابية يمكن أن تحدث فى أى وقت. ومن الصعب منعها مائة في المائة. ولذلك فلابد من عقد المؤتمر الدولى لمكافحة الإرهاب حتى يشعر الناس فى كل مكان أن الإرهاب مدان من الأغلبية العظمى من زعماء العالـــــم".

وأكد الرئيس مبارك في كلمته أمام **المؤتمر الطارئ لإتحـــاد البرلمانييــــن العــــرب** بالأقصر يوم ١٤ يناير ١٩٩٨

> *"أن الأنشطة الإرهابية تتعدى حدود الدول لنشر الرعب فى المجتمعات الآمنة، وتخرق القيم الإنسانية والقواعد الأخلاقية، وان الإسلام برئ من كل ما يعلق به من إفتراءات، فهو دين الرفق والمحبة وإحترام إنسانية الآخرين. كما ان التضامن العربى يتيح تضافر جهود الدول العربية من أجل مكافحة قوى الظلام والتطرف ودعاة الخراب".*

وخلال **القمة الثانية عشرة لحركة عدم الإنحياز** التى إستضافتها مدينة ديربان بجنوب أفريقيا الشقيقة فى سبتمبر ١٩٩٨ أعاد الرئيس محمد حسنى مبارك كلماته المحذرة من تنامى ظاهرة الإرهاب الدولى حيث قـــــال:

> *"إن ظاهرة الإرهاب الدولى التى إستشرت ولم يعد يسلم منها مجتمع، باتت تنذر بأسوأ العواقب وتهدد الأمن والاستقرار فى كافة المجتمعات دون تمييز. وعلى دول حركة عدم الانحياز أن تتخذ موقفاً واضحاً وصارماً لمواجهة انتشار هذه الظاهرة الإجرامية التى تشكل تهديداً لمبادىء الحركة وأهدافها. وإن مصر لم تدخر جهدا فى مكافحة هذه الموجة الإجرامية، فقد شاركنا فى إطار جامعة الدول العربية فى إعتماد إتفاقية لمكافحة الإرهاب تضمنت أسس التعاون فى هذا المجال، كما استضافت القاهرة فى فبراير ١٩٩٨ إجتماعاً لخبراء منظمة المؤتمر الاسلامى شهد الاتفاق على إطار لمشروع معاهدة لمكافحة الإرهاب الدولى، متخذاً من مدونة السلوك الاسلامى لمكافحة الإرهاب التى اعتمدتها القمة الإسلامية الثامنة بطهران أساساً له. وقد تابعت مصر باهتمام بالغ الأحداث الإرهابية الخطيرة التى وقعت فى الآونة الأخيرة على أرض قارتنا الأفريقية، والمضاعفات الناجمة عنها، والخسائر التى سببتها فى الأرواح*

*والممتلكات. ومن منطلق المسئولية الإنسانية والأخلاقية الواقعة علينا جميعاً لحماية أرواح الأبرياء وحقوقهم، وللتصدى لهذه الظاهرة الإجرامية، **تجدد مصر دعوتها لعقد مؤتمر دولى على مستوى القمة تحت رعاية الأمم المتحدة**، يناط به تقنين تعامل المجتمع الدولى بصورة جماعية ومنظمة مع الإرهاب بجميع صوره وأشكاله وبمختلف أبعاده، ووضع الضوابط والمتطلبات اللازمة لمواجهته، وردع الحكومات والجماعات والأفراد الذين يثبت ضلوعهم فى إرتكاب الأعمال الإرهابية أو الاشتراك فى الإعداد لها والتحريض عليها وتنفيذهـــــا."*

وفى١٢ مارس ١٩٩٣ أوضح الرئيس مبارك في حديثه **لصحيفة الأنباء الكويتيـــــة** أن الإرهابيين مجموعة من المجرمين الخارجين علي القانون، الغالبية العظمى منهم جرى تدريبها فى أفغانستان، وكان الواحد منهم يتقاضى ألف وألف وخمسمائة دولار شهرياً، وعندما انتهت العمليات العسكرية فى أفغانستان بحثوا عن مصدر آخر للتمويل وساحة أخرى للعمل.

وقبل اكثر من عام ونصف من أحداث سبتمبر ٢٠٠١، وتحديداً فى ١٢ فبراير ٢٠٠٠ قال الرئيس مبارك في حديث **لوكالة الأنباء الفرنسيـــــة**

*"إن مشكلة التطرف والإرهاب ليست مقصورة على مصر، بل إنها مسألة إرهاب دولى كما أنها ظاهرة عالمية مثل ما يحدث من أعمال العنف كالتى جرت في أوروبا والولايات المتحدة. وقد دعوت منذ أكثر من عشر سنوات إلي **عقد مؤتمر دولى لمكافحة الإرهاب** الذى يمثل ظاهرة عالميـــــة."*

أما فى ٢٥ سبتمبر ٢٠٠١ وبعد أحداث سبتمبر الإرهابية التي أصابت نيويورك وواشنطن، فقد أكد الرئيس مبارك في حديث **لشبكة سى بى أس الإخبارية الأمريكية** أن جميع الدول في العالم دون إستثناء ستعمل مع الولايات

المتحدة ضد الإرهابيين. فلا توجد دولة واحدة مقتنعة بمساندة الإرهاب. ومصر عانت لسنوات طويلة من وطأة الإرهاب. وأن عناصر حركة الجهاد الإسلامى المصرية ليسوا في مصـــــــر فهم مع بن لادن.

كما قال الرئيس مبارك أمام **مجلـــس العلاقـــات الخارجيـــة الأمريكـــى** يوم ٦ مارس ٢٠٠٢ إن أحداث سبتمبر المأساوية تؤكد أن المجتمع العالمى يجب أن يعمل معاً فى مواجهة الإرهاب بكل أشكاله، وإن هذا الحدث أكد أن رفاهية البعض يمكن أن تكون رفاهية للجميع، وأن الآلام والظلم الذي يتعرض له آخرون يجب أن تكون آلامنا ومظالمنا جميعاً. وأبرز قائد مصر أن بلده التى طالما حذرت من مخاطر الإرهاب تحركت للرد على قوى الظلام، وتبذل مساعيها لإستئصال هذا السرطان الذى أضحى يهدد الجميــــــــع.

وفى كلمته أمام **المؤتمر السادس لوزراء الإعـــــلام العــــــرب** فى ١٠ مارس ٢٠٠٣ أكد الرئيس مبارك أن الإرهاب جريمة عالمية منظمة تهدد الإستقرار والأمن فى العالم كله، لا دين ولا وطن ولا جنسية له. فالإرهاب خنجر مسموم يرتد إلى قلب من يحميه. وان مصر طالبت العالم بالتكاتف للتعامل مع أسباب الإرهاب والقضاء عليها وإجتثاث جذوره وتجفيف منابعه من خلال **مواجهة عالمية شاملة تحت مظلة الأمم المتحدة وفي إطار مؤتمر دولى.**

وجدد الرئيس مبارك دعوته فى ٢١ مارس ٢٠٠٤ لعقد **مؤتمر دولى لمكافحة الإرهاب ترعاه الأمم المتحدة** ويلزم الدول بعدم منح الإرهابيين حق اللجوء السياسى، وأكد الرئيس إثر محادثات مع الرئيس السنغالى الشقيق عبد الله واد إن ما يجرى من عمليات لمقاومة الإرهابيين لن يحل الأمر، وأن الوقت قد حان لتفعيل **مبادرة مصر بعقد مؤتمر دولى تحت رعاية الأمم المتحدة** للخروج بقرار ملزم لكل الدول، ولتلافى إيواء الإرهابيين فى دول كثيرة وحصولهم على حق اللجوء السياسي بما يؤدى إلى إنتعاش الإرهـــــــاب.

أما فى بيانه أمام **معهـــد جيمــس بيكــــر الأمريكـــــى** فى١٥ أبريل ٢٠٠٤ فقد أشار الرئيس مبـــارك إلى أن

> *"الإرهاب يعد المصدر الثالث لعدم الاستقرار فى العالم، فإذا كان هناك درس تعلمناه علي مدار السنوات الماضية فهو ان هذه الظاهرة لا تعترف بحدود أخلاقية أو وطنية أو دينية. فقد تعرضت مصر والولايات المتحدة لهجمات الإرهابيين، وكذلك تعرضت أيضا ألمانيا وإيطاليا وأسبانيا وأيرلندا وبريطانيا وغيرها لإرهاب نشأ داخل مجتمعاتهم. فالإرهاب يتولد ليعكس قوى الشر في كافة مجتمعاتنا، ويلجأ مرتكبوه إلى تحريف الأديان، سواء الإسلام أو اليهودية أو المسيحية، واستخدامها لتبرير أعمالهم الاجرامية. ولذا فلا يمكن لأى دولة أن تكون آمنة من مثل هذا التهديد. وإن حماية مجتمعاتنا من شرور الإرهاب لا تتحقق إلا من خلال الإرادة الجماعية والعمل الدءوب من العالم أجمع. ولذا فقد* ***طالبت مصر بعقد مؤتمر دولى للتعامل مع الإرهاب قبل سنوات طويلة من وقوع أحداث ١١ سبتمبر*** *٢٠٠١ وعلى العالم أجمع ان يحشد موارده لمكافحة هذه الآفة أينما ظهرت دون تفرقة أو تمييز بين مكان ظهورها وجنسية مرتكبيهـــــــــا".*

وأمام **جامعة موسكـــو للعلاقـــات الدوليـــــة** بمناسبة منحه الدكتوراه الفخرية فى ٢٩ مايو ٢٠٠٤ طالب الرئيس مبارك مجدداً بضرورة **عقد مؤتمر دولى لمكافحة الإرهاب** من أجل التصدى الجماعى لهذه الظاهرة بجوانبها المختلفة، وللدفع بجهود دولية نحو القضاء علي مشاعر اليأس والإحباط لدي الشعوب التي يستغلها الإرهابيون في تحقيق اغراضهم الدنيئـــــــــة.

وفى الكلمة التى ألقاها بمناسبة الاحتفـــال بليلــــة القــــــدر فى ٩ نوفمبر ٢٠٠٤ أوضح الرئيس مبارك إننـــــــــا

"نرفض المشاعر المعادية للإسلام والمسلمين، وكافة أشكال التمييز والكراهية والتعصب. كما نرفض الإدعاءات الظالمة التي تصم الإسلام بالإرهاب والتطرف. إلا أن علينا النهوض بمسئولياتنا كمسلمين في دحض هذه المزاعم. وأن نثبت للعالم اننا أمة قادرة علي إعلاء قيم التسامح والاعتدال، والإسهام فى صنع حاضر العالم ومستقبله مثلما أسهمت حضارتنا الإسلامية في صنع ماضيه وتراثه. ان القضاء علي العنف والإرهاب لن يتم من خلال فرض أنماط خارجية للإصلاح على الدول العربية والإسلامية كما يدعى البعض. بل علي العكس فإن نجاح الجهود المكثفة التي تقوم بها دولنا وشعوبنا العربية والإسلامية تنفيذاً لرؤيتنا الذاتية للإصلاح سيظل دائما رهناً بإصلاح النظام الدولى، وخاصة نظام الأمن الجماعي الدولى، وبتعزيز قدرته علي التعامل بفاعلية مع قضايا الأمم والشعوب. فلا معني لتنفيذ خطط طموحة لتحقيق مزيد من الديمقراطية والحرية في مجتمعاتنا في وقت لا تتمتع فيه دولنا بنفس حقوق الدول الأخرى في المجتمع الدولي. ولا مغزى من إتمام خطط الإصلاح الاقتصادي في الوقت الذي تتقاعس فيه القوى الاقتصادية الكبرى عن أداء دورها في مساعدة دولنا علي تحقيق التنمية المرجوة. ولا قيمة لتنفيذ خطط الإصلاح الاجتماعي في ظل التجاهل الدولى للجوع والفقر والمرض الذى يلحق بالملايين من البشر فى أرجاء العالم المختلفة".

وبمناسبة **افتتــاح الــدورة البرلمانيـــــة الجديــدة** فى١١ نوفمبر ٢٠٠٥ فقد أكد الرئيس مبارك في خطابه أمام مجلسي الشعــب والشــورى

"ضرورة تعزيز جهود التصدى لظاهرة الإرهاب الدولى التى تزامنت مؤخراً مع تيار دولى متصاعد نحو استخدام العنف كوسيلة للتعبير عن الاحتجاج إزاء تجاهل المجتمع الدولى لقضايا الشعوب السياسية والاقتصادية والاجتماعية. واذا كانت الشرطة قد حققت انجازات كبيرة فى توفير الأمن والأمان وحماية المجتمع المصرى من شرور الجريمة والإرهاب فى المرحلة السابقة، فقد أثبتت أحداث طابا الاخيرة انه لا زالت هناك قلة ضالة تتربص بأمن شعب مصر واستقراره يتعين التصدى لها بمزيد من اليقظة والوعى وفى اطار جهد قانونى ومجتمعى وشرطى متكامل يظهر تماسكنا ووحدتنا فى مواجهة أى تهديدات لأمن الوطن وسلامته".

وفى كلمته **بمناسبة عيد الشرطــة** يوم ٢٥ يناير ٢٠٠٥ ذكر الرئيس مبارك

"إن مصر تحملت مسئوليتها في مواجهة ظاهرة الإرهاب الغريبة علي مجتمعنا. وحذرت العالم من عواقبها. وكانت في طليعة من تصدوا لمحاصرة الإرهاب وتجفيف منابعه، ولم نكتف بذلك، بل ***ناديناا بأن تكون للمجتمع الدولى وقفته في مواجهة هذا الخطر الكامن الذى صار يهدد كل أحلام البشرية فى تحقيق السلام والأمن والاستقرار والتنمية.*** *ففى مصر كان من الضرورى ان تستمر مسيرة الاصلاح بالرغم من محاولات قوى الإرهاب الآثمة المساس بأمن الوطن وزعزعة استقراره الداخلى مما فرض علينا جميعا التصدى لها بقوة القانون ومواجهتها بوعى المجتمع النابع من شعوره وادراكه بأن الإرهاب يهددنا جميعاً ويهدف للنيل من مكاسبنا ويهدد مستقبل أبنائنا. إن معركة مؤسساتنا الأمنية المستمرة ضد قوى الإرهاب والتطرف التى خاضها رجالها الشرفاء خلال*

العقدين الماضيين ولا يزالون هى معركة متواصلة تتصدى لإرهاب أعمى يطل علينا بين الحين والحين، ويهدد مواطنينا فى أرواحهم وأرزاقهم. إنها معركة تحاصر محاولات دخيلة للإخلال بسماحة مجتمعنا وقيمه، وتستهدف الوقيعة بين مسلميـه وأقباطـــــــه".

وفى ٢٣ يوليو ٢٠٠٥ وبعد أن قدم الرئيس مبارك تعازيه لأسر ضحايا حادث التفجير الإرهابى الذى شهدته **مدينة السلام شـــرم الشيـــخ**، أعاد الرئيس مبـــارك تأكيـــــد

"إن ملاحقة الإرهاب ستظل مستمرة. فلايزال الإرهاب يطل علينا بوجهه القبيح بين الحين والحين، إرهاب أعمى بات يجتاح العالم من حولنا، يروع الآمنين ويستهدفهم فى كل مكان. طالت يده الآثمة ليلة أمس ضحايا أبرياء إستلب حياتهم عشية الاحتفال بذكرى الثورة فى مدينة شرم الشيخ، رمز السلام، لقد استهدف هذا العمل الاجرامى الجبان زعزعة أمن مصر واستقرارها، والإساءة الى أبنائها وضيوفها من السائحين الوافدين اليها. ولن يزيدنا ذلك سوى تصميماً على ملاحقة الإرهاب ومحاصرته واقتلاع جذوره. أن التطرف والإرهاب صار سمة من سمات العصر، وخطراً رئيسياً من مخاطره، وتحدياً أساسياً بين ما يطرحه هذا العصر من تحديات. ***ولم تعد النزاعات والحروب وحدها هى ما يهدد السلم والأمن الدوليين. فقد جاءت ظاهرة الإرهاب لتضيف تهديداً جديداً*** *لا سبيل لمواجهته سوى بتضافر جهود المجتمع الدولى والتسليم بضرورة التوصل الى تسويات عاجلة وعادلة لقضايا عالقة تغذى قوى التطرف والإرهاب وتوفر لها الغطاء والذرائع".*

وفى لقاء جماهيرى للرئيس مبارك **بمدرسة المساعى المشكورة** بالمنوفية فى ٢٨ يوليو ٢٠٠٥ قال الرئيس "ان المخاطر الماثلة والمستمرة للإرهاب تستلزم تطويراً دستورياً وتشريعياً يتيح للمجتمع حماية أبنائه ومكتسباته ومستقبله، ويمكنه من التصدى لهذه المخاطر بقوة القانون وحسمه. ولقد اضطررنا إلى العمل بقانون الطوارئ فى ظروف مأساوية نعلمها جميعاً، واستمرت الحاجة إليه من أجل مواجهة إرهاب لا يزال يتربص بنا، يستهدف أرواح أبنائنا وترويع شعبنا والإضرار باقتصادنا القومى، وإنني أجدد العهد لكم بأن يظل أمن الوطن وأمان المواطن على رأس أولوياتي. **وسوف تستمر معركتنا مع الإرهاب وما يمثله من تهديد لأرواح أبناء مصر وأرزاقهم ومستقبلهم**. وسنواصل محاصرة الإرهاب بكل العزم والتصميم. لا نتوانى في ذلك. ولا نفرط في أمن الوطن واستقـــراره".

وحين خاطب الرئيس مبــــارك **القمــــة الأورومتوسطيـــــة** فى ٢٨ نوفمبر ٢٠٠٥ قـــــــال:

*"لقد دعوت منذ عام ١٩٨٦ لعقد مؤتمر دولى فى إطار الأمم **المتحدة حول مكافحة الإرهاب**، وأكدت في كلمتى أمام الجمعية البرلمانية لمجلس أوروبــا عام ١٩٨٦ وأمام البرلمان الأوروبي عام ١٩٨٧ إلحاح الحاجة لعقد هذا المؤتمر، كي يضع الأسس لتعاون دولى فعال يحاصر الإرهاب ومخاطره. لقد أطلقت هذه المبادرة قبل سنوات طويلة، تحول خلالها الإرهاب إلي ظاهرة عالمية، تتطلب تحركاً عالمياً لإحتواء تهديداتها. وإنني أعاود هنا، وأمامكم، طرح هذه المبادرة والتذكير بها، وأدعو شركاء برشلونة للتنسيق مع باقى شركائنا الدوليين حول أفضل السبل لتنفيذها، أخذاً فى الإعتبار مخاطر الإرهاب على الأمن الأورومتوسطى، والأوروأطلنطى، وأمن واستقرار العالم برمتـــــــه."*

وأمام القمة الإسلاميــة الإستثنائيــة لمنظمــة المؤتمر الإسلامـــى التى استضافتها مكة المكرمة فى ٨ ديسمبر ٢٠٠٥ أكد الرئيس مبارك في بيانــــــــه

"أن عالمنا الإسلامى يدرك ما يمثله الإرهاب والتطرف من تهديدات ومخاطر، ويدرك أيضاً أن استمرار العديد من الأوضاع والقضايا والمشكلات إنما يغذى قوى الإرهاب، ويوفر لها الغطاء والذرائع، وإن التناول المتوازن والعادل لهذه القضايا مطلب رئيسي في المعركة التي نخوضها معاً ضد الإرهاب. فلابد أن نبذل أقصى الجهد لتعزيز تضامن العالم الإسلامى كى نتحدث بصوت واحد يواجه الإساءة والتطاول والتجاوزات، ويتصدى لمحاولات ربط الإرهاب بالعروبة والإسلام، ويفند المغالطات والافتراءات، ويعبر عن الوجه الحقيقى لديننا وجوهر تعاليمه وسماحته وصحيح عقائــــــــده".

أما فى ٢٥ مارس ٢٠٠٦ وفي ردود على أسئلة **لوكالة الأنباء السودانيـــة** حول محاولات عدد من الدوائر الغربية تحريك بعض الملفات لزعزعة الوضع الداخلى في مصر: كيف تنظرون لهذه المحاولات؟ وماهو تقويمكم لوحدة الصف الداخلى في مصر؟ وكيف يمكنكم هزيمة مثل هذه المخططات؟

فقد كان الرئيس مبــــارك واضحاً حين قـــــــال:

"إن أمن واستقرار مصر خط أحمر لا أسمح بتجاوزه. والشعب المصري أثبت دائما حرصاً لا يتزعزع علي وحدته الوطنية وتماسك جبهته الداخلية. وأى محاولة للنيل من استقرار مصر إنما تستهدف النيل من استقرار الشرق الاوسط. ونحن واعون لذلك تماماً. وشعب مصر يتصدى لمحاولات الوقيعة بين مسلميه واقباطه كما يتصدى بثقة وحزم لمخاطر التطرف والإرهــــــاب".

وفى الكلمة التى ألقاها لدى إفتتاح **المؤتمر العام الثامن عشر للمجلس الأعلى للشئون الإسلامية** فى ٦ أبريل ٢٠٠٦، أكد الرئيس مبـــــارك

"إن علماء الأمة ومفكريها إنما يتحملون مسئولية كبرى من أجل نشر الوعي. وتصحيح المفاهيم الخاطئة والأفكار المغلوطة التي حجبت جوهر الإسلام وتعاليمه السمحة التى لا تعرف التطرف أو التعصب أو الإرهاب. وأضاف الرئيس مبارك إن الإسلام حث على إعمار الأرض وبناء الحضارة. وعلى رجال الدين والدعاة أن يرسخوا في عقول شبابنا أصول القيم الإسلامية الدافعة إلى تقدم المجتمع. وتذكيرهم بأن حضارة الإسلام هي حضارة تنشد الخير لكل الإنسانية. حضارة سلام لا تعادى أحداً أو تعتدى علي أحد. حضارة تسامح لا تعرف التعصب أو التطرف أو الإرهاب. حضارة تؤكد إنسانية الإنسان، وتحترم أدمية البشر دون تمييـــــز".

وفى ١٢ أبريل ٢٠٠٦، ألقى الرئيس مبارك كلمة بمناسبة **الاحتفال بالمولد النبـــوى الشريـــــــــف**، أكد فيهـــــــا

"إن علينا أن نواجه بتضامننا محاولات الربط بين عالمنا الإسلامى وبين إرهاب لا يعرف وطناً ولا ديناً لم يعد أحد محصناً من شروره ومخاطره، وبات يتهدد العالم بأسره، بما في ذلك دول وشعوب إسلامية، طالتها يد الإرهاب الأعمى قبل أن تطول غيرها. إننا فى مصر والعالم نخوض معركة مع إرهاب يهدد الأبرياء في أرواحهم وأرزاقهم. ندعو لمواجهة مخاطره بجهد دولى يحاصره ويجفف منابعه. كما ندعو لمعالجة القضايا العالقة التى تزيد من مشاعر اليأس والإحباط والغضب، وتوفر أرضاً خصبة للإرهاب والتطـــــــــرف".

وفى كلمته بمناسبة **الاحتفال بعيـد تحريـر سينــــاء** فى ٢٥ أبريل ٢٠٠٦، قال الرئيس مبـــــارك

> *"إننا نتذكر بالتقدير والعرفان الرئيس السادات، بطل الحرب والسلام، الذى إتخذ قراريهما بجرأة وشجاعة، واغتالته يد الإرهاب قبل أن يشهد اكتمال تحرير سيناء. وكان تحرير سيناء نهاية لمرحلة، وبداية لمرحلة جديدة فى مسيرة عملنا الوطنى، خضنا خلالها مواجهة حاسمة مع إرهاب أعمي، طالت مصر مخاطره قبل أن تطال غيرها من دول المنطقة والعالم. ولا تزال شروره تتربص بنا وتهدد أبناءنا فى أرواحهم وأرزاقهم، وتغذى مشاعر الغلو والتطرف، فتخلط الدين بالسياسة والسياسة بالدين، وتحاول الوقيعة بين مسلمى مصر وأقباطها، وتستهدف زعزعة استقرار الوطن. وسوف يقف شعب مصر دائما إلى جانب رجال قواته المسلحة. ولن نتوانى عن بذل كل غال ورخيص، كى نوفر لهم أعلى مستويات التسليح والمعدات، وأرقى مستويات الخبرة والتدريب، بما يفى بمتطلبات الحفاظ على أمن مصر القومي ومصالحها العليا وقدسية أرضها. ولا ننجرف لمغامرات تقامر بأرواح أبنائها. لا ننعزل عن العالم من حولنا ولا عن قضايا أمتنا. ونتطلع لسلام واستقرار منطقتنا ورخاء شعوبهـــــــــا".*

أما كلمة الرئيس مبارك بمناسبة **الاحتفال بعيد العمـــال** عام ٢٠٠٦ فقال فيها

> *"اننا نواجه تحديات ومخاطر عديدة تهدد استقرار مصر ومنطقتها من العالم. يترصدنا إرهاب أعمى لم يعد أحد محصناً من شروره. يستهدف عرقلة مسيرتنا وتقويض طموحاتنا. تطال مخاطره الأبرياء ويهدد أبنائنا فى أرواحهم وأرزاقهم. وتتربص بنا قوى التعصب والغلو والتطرف. تحاول الوقيعة بين مسلمى مصر وأقباطها والنيل*

من نسيج المجتمع المصرى الواحد المتماسك، تنشر بين شبابنا أفكاراً دخيلة علينا لا تمت بصلة لجوهر الأديان وسماحتها، تشعل نار الفتنة وتستهدف زعزعة استقرار الوطن. ان هذا الاستقرار هو هدف مشترك لنا جميعاً. هدف يسمو فوق أى منافسة ومصالح حزبية ضيقة ويعلو على أى خلاف بين ما يموج به المجتمع من تيـــــــــارات".

وفى١٩ مايو ٢٠٠٦ طالب الرئيس مبارك بضرورة **عقد مؤتمر دولي لمواجهة الإرهاب** فى تصريحات خلال رحلة العودة من مدينة اشبيليـــــه الإسبانية حيث قـــــــال

"لقد طالبت بضرورة عقد هذا المؤتمر لمواجهة خطر الإرهاب الذي إعتقد البعض انه يوجد في منطقة معينة دون اخرى، غير ان الحقيقة أثبتت أنه لا وطن للارهاب الذى أصبح ظاهرة عالمية تعبر كل الحـــــــــدود".

وفى كلمته أمام الجلسة الافتتاحية **للمنتدى الاقتصـــــادى العالمـــــى** فى ٥ مايو ٢٠٠٦ أعاد الرئيس مبارك التذكير بمخاطر الإرهاب على الوضع الإقتصادى الدولى حيث طالب بـــــ

"عالم يتصدى لمخاطر الإرهاب وشروره، لا يرضخ لابتزازه ولا يربطه بوطن أو دين. عالم يحاصر مظاهر العنصرية والتمييز والتطرف ويواجه دعاوى التعصب وصدام الحضارات ويطلق حواراً جاداً بين كافة الشعوب، يقوم على التكافؤ والإحترام المتبادل، ويتأسس على القيم المشتركة للإنسانيـــــــــة".

أما فى ١٦ مارس ٢٠٠٨، فقد أكـد الرئيس مبـــــارك

"ضرورة التصدى لمظاهر التطرف والتعصب والإرهاب التي أساءت للإسلام وشوهت صورته، والعمل علي نشر قيم التسامح والتراحم والتكافل في المجتمع، والإرتقاء بالتعلم والتعليم واللحاق بركب العصر وتمكين العقل من أداء دوره الفاعل في تطوير المجتمعات الإسلامية وتحقيق التكافل وتعزيز العمل المشترك بين دول العالم الإسلامـــــــى".

وفى ٢٧ سبتمبر ٢٠٠٨، حذر الرئيس حسنى مبـــــارك مـــــن

"خطورة استمرار تهديدات التطرف والإرهاب ممن يستترون بعباءة الدين، ودعاوى الطائفية والمذهبية والمواجهة بين السنة والشيعـــة"

وأعلنت مصر فى ٨ أكتوبر ٢٠٠٨ إدانتها للإرهاب بكافة أشكاله وصوره مهما كانت دوافعه أو مبرراته، مشددة على أهمية عدم ربط الإرهاب بدين أو ثقافة بعينها خاصة أن ذلك يؤدى إلى الاحتقان ويشعل الكراهية بين الشعوب ويعزز من فرص استغلال الإرهابيين لهذه العوامل فى نشر أفكارهم وأنشطتهم التي تهدد سلامة الشعوب الآمنـــــــة.

كما أكد الرئيس مبارك خلال كلمته بمناسبة المولد النبـــوى الشريـــف فى ١٠ مارس ٢٠٠٩

"إن جمود الخطاب الدينى يقود إلى التطرف، والتطرف هو بداية الطريق إلى الإرهاب، ولدينا من الشواهد ما يؤكد لنا جميعا أن قوى الإرهاب لا تزال تتربص بنا وتطل علينا بشرورها بين الحين والحيـــــــن".

وجاءت كلمات الرئيس مبارك قوية وواضحة صباح الأول من يناير ٢٠١١ إثر حادث التفجير الإرهابى الغريب على مصر وعلى الطباع السمحة لشعبها، والذى الذى وقع أمام كنيسة القديسين بالإسكندرية، حيث أكد أنه لن يسمح لأحد بالاستخفاف بأمن مصر وأنه سيتم تعقب المخططين والمتورطين فى الحادث، و"**أن دماء أبناؤنا لن تضيع وسنقطع يد الإرهاب والمتربصين بأمن مصـــر**" وقال:

لقد هز هذا العمل الإرهابى ضمير الوطن. صدم مشاعرنا وأوجع قلوب المصريين مسلميهم وأقباطهم، امتزجت دماء شهدائهم وجراحهم على أرض الأسكندرية، لتقول لنا جميعا أن مصر برمتها هى المستهدفة وأن الإرهاب الأعمى لا يفرق بين قبطى ومسلم. ولايزال الإرهاب متربص بمصر وشعبها، يطل علينا بوجهه القبيح يروع الآمنين، ويهدد أبناء شعبنا فى أرواحهم وأرزاقهم، لقد طالت يد الإرهاب ليلة أمس ضحايا أبرياء بعملية إرهابية غريبة علينا وعلى مجتمعنا، بإرهاب لا يعرف وطنا ولا ديناً، عملية إرهابية تحمل فى طياتها دلائل تورط أصابع خارجية تريد أن تجعل من مصر ساحة لما تراه من شرور الإرهاب بمنطقتنا وخارجها.

إننى أوكد، وإلى جانبى كل المصريين، أن قوى الإرهاب لن تنجح فى مخططاتها، وستفشل فى زعزعة استقرار مصر أو النيل من آمال شعبها ووحدة مسلميها وأقباطها. إن أمن مصر القومى هو مسئوليتى الأولى لا أفرط فيه أبدا، ولا أسمح لأحد أيا كان بالمساس به أو الاستخفاف بأرواح أو مقدرات شعبنا. لقد كسبنا معركتنا مع الإرهاب فى سنوات التسعينات. وتخطئون خطأ فادحا إن ظننتم أنكم بمنأى عن عقاب المصريين. إن هذا العمل الآثم هو حلقة من حلقات الوقيعة بين الأقباط والمسلمين، لكن الله رد كيد الكائدين فى نحورهم. فلقد أكد من جديد أننا جميعا فى خندق واحد. وأننا جميعا سنقطع رأس الأفعى، ونتصدى للارهاب ونهزمه. ربنا اجعل هذا البلد آمنا، وانصرنا على كل من يريد به الشر والسوء.

ولسوف تظل مصــر ، قيادةً وشعبـاً ، حريصة على وحدتها الوطنية **وتماسك** جبهتها الداخلية، واعية بأن أى محاولة لزعزعة إستقرارها إنما تستهدف **النيل من** إستقرار المنطقة العربية. ولسوف تستمر مصــر كذلك بكل طوائفها المتلاحمة، وأجهزتها الواعيــة ودبلوماسيتهــا النشطة تطالب العالم بالتكاتف للتعامل **مع الإرهاب** بشتى صوره، والقضاء عليه من خلال **مواجهــة شــاملة تحــت مظلــة الأمــم المتحــدة ومنظماتها وبرامجها وآلياتها المتعددة** حتى تتخلص البشرية من **تلك الآفة** الخطيرة التى تهز كيانها وتعصف بأمنها ، وحتى تفتح كل الشعوب **الصديقة صفحة** جديدة من الإستقرار ، تبعث على الأمل وتتيح للجميع العيش فى ســلام **وأمن** واستقـرار وطمأنينــة.

وزارة الخارجيــة فى الأول من ينايـــر ٢٠١١

الاتفاقيـــات الدوليـــة
فى مجال
مكافحـــة الإرهـــــاب

اتفاقية منع ومعاقبة الإرهـــــاب

(عصبـــة الأمـــــم ١٩٣٧)

والملحق بها إتفاقية إنشاء محكمة جنائية دوليــة

لم تدخل هذه الاتفاقية حيز النفــاذ بسبب قيام الحــرب العالمية الثانية وقلة عدد التصديقات عليها، ولكنها تظل علامة تاريخيــة مميزة على طريق الجهود الدوليـــة لمكافحـة الإرهـــــاب.

CONVENTION FOR THE PREVENTION AND PUNISHMENT OF TERRORISM, 19 League of Nations O.J. 23 (1938), League of Nations Doc. C.546(I).M.383(I).1937.V (1938) (16 November 1937)[1]

Being desirous of making more effective the prevention and punishment of terrorism of an international character,

Who, having communicated their full powers, which were found in good and due form, have agreed upon the following provisions:

Article 1

1. The High Contracting Parties, reaffirming the principle of international law in virtue of which it is the duty of every State to refrain from any act designed to encourage terrorist activities directed against another State and to prevent the acts in which such activities take shape, undertake as hereinafter provided to prevent and punish activities of this nature and to collaborate for this purpose.
2. In the present Convention, the expression "acts of terrorism" means criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons, or a group of persons or the general public.

Article 2

Each of the High Contracting Parties shall, if this has not already been done, make the following acts committed on his own territory criminal offences if they are directed against another High Contracting Party and if they constitute acts of terrorism within the meaning of Article 1:

1. Any wilful act causing death or grievous bodily harm or loss of liberty to:
   (a) Heads of States, persons exercising the prerogatives of the head of the State, their hereditary or designated successors;
   (b) The wives or husbands of the above-mentioned persons;
   (c) Persons charged with public functions or holding public positions when the act is directed against them in their public capacity.
2. Wilful destruction of, or damage to, public property or property devoted to a public purpose belonging to or subject to the authority of another High Contracting Party.
3. Any wilful act calculated to endanger the lives of members of the public.
4. Any attempt to commit an offence falling within the foregoing provisions of the present article.
5. The manufacture, obtaining, possession, or supplying of arms, ammunition, explosives or harmful substances with a view to the commission in any country whatsoever of an offence falling within the present article.

Article 3

Each of the High Contracting Parties shall make the following acts criminal

[1] (Editor's Note) This instrument never entered into force for failure to receive the necessary signatures, accessions or ratifications. Its historical relevance and significance warrants its inclusion herein.

offences when they are committed on his own territory with a view to an act of terrorism falling within Article 2 and directed against another High Contracting Party, whatever the country in which the act of terrorism is to be carried out:

1. Conspiracy to commit any such act;
2. Any incitement to any such act, if successful;
3. Direct public incitement to any act mentioned under heads (1), (2) or (3) of Article 2, whether the incitement be successful or not;
4. Wilful participation in any such act;
5. Assistance, knowingly given, towards the commission of any such act.

Article 4

Each of the offences mentioned in Article 3 shall be treated by the law as a distinct offence in all cases where this is necessary in order to prevent an offender escaping punishment.

Article 5

Subject to any special provisions of national law for the protection of the persons mentioned under head (1) of Article 2, or of the property mentioned under head (2) of Article 2, each High Contracting Party shall provide the same punishment for the acts set out in Articles 2 and 3, whether they be directed against that or another High Contracting Party.

Article 6

1. In countries where the principle of the international recognition of previous convictions is accepted, foreign convictions for any of the offences mentioned in Articles 2 and 3 will, within the conditions prescribed by domestic law, be taken into account for the purpose of establishing habitual criminality.
2. Such convictions will, further, in the case of High Contracting Parties whose law recognizes foreign convictions, be taken into account, with or without special proceedings, for the purpose of imposing, in the manner, provided by that law, incapacities, disqualifications or interdictions whether in the sphere of public or of private law.

Article 7

In so far as parties civiles are admitted under the domestic law, foreign parties civiles, including, in proper cases, a High Contracting Party shall be entitled to all rights allowed to nationals by the law of the country in which the case is tried.

Article 8

1. Without prejudice to the provisions of paragraph 4 below, the offences set out in Articles 2 and 3 shall be deemed to be included as extradition crimes in any extradition treaty which has been, or may hereafter be, concluded between any of the High Contracting Parties.
2. The High contracting Parties who do not make extradition conditional on the existence of a treaty shall henceforward, without prejudice to the provisions of paragraph 4 below and subject to reciprocity, recognize the offences set out in Articles 2 and 3 as extradition crimes as between themselves.
3. For the purposes of the present article, any offence specified in Articles 2 and 3,

if committed in the territory of the High Contracting Party against whom it is directed, shall also be deemed to be an extradition crime.

4. The obligation to grant extradition under the present article shall be subject to any conditions and limitations recognized by the law or the practice of the country to which application is made.

Article 9

1. When the principle of the extradition of nationals is not recognized by a High Contracting Party, nationals who have returned to the territory of their own country after the commission abroad of an offence mentioned in Articles 2 or 3 shall be prosecuted and punished in the same manner as if the offence had been committed on that territory, even in a case where the offender has acquired his nationality after the commission of the offence.

2. The provisions of the present article shall not apply if, in similar circumstances, the extradition of a foreigner cannot be granted.

Article 10

Foreigners who are on the territory of a High Contracting Party and who have committed abroad any of the offences set out in Articles 2 and 3 shall be prosecuted and punished as though the offence had been committed in the territory of that High Contracting Party, if the following conditions are fulfilled - namely, that:

1. Extradition has been demanded and could not be granted for a reason not connected with the offence itself;

2. The law of the country of refuge recognizes the jurisdiction of its own courts in respect of offences committed abroad by foreigners;

3. The foreigner is a national of a country which recognizes the jurisdiction of its own courts in respect of offences committed abroad by foreigners.

Article 11

1. The provisions of Articles 9 and 10 shall also apply to offences referred in Articles 2 and 3 which have been committed in the territory of a High Contracting Party against whom they wee directed.

2. As regards the application of Articles 9 and 10, the High Contracting Parties do not undertake to pass a sentence exceeding the maximum sentence provided by the law of the country where the offence was committed.

Article 12

Each High Contracting Party shall take on his own territory and within the limits of his own law and administrative organization the measures which he considers appropriate for the effective prevention of all activities contrary to the purpose of the present Convention.

Article 13

1. Without prejudice to the provisions of head (5) of Article 2, the carrying, possession and distribution of fire-arms, other than smooth-bore sporting-guns, and of ammunition shall be subjected to regulation. It shall be a punishable offence to transfer, sell or distribute such arms or munitions to any person who does not hold such licence or make such declaration as may be required by domestic legislation

concerning the possession and carrying of such articles; this shall apply also to the transfer, sale or distribution of explosives.

2. Manufacturers of fire-arms, other than smooth-bore sporting-guns, shall be required to mark each arm with a serial number or other distinctive mark permitting it to be identified; both manufacturers and retailers shall be obliged to keep a register of the names and addresses of purchasers.

Article 14

1. The following acts shall be punishable:

(a) Any fraudulent manufacture or alteration of passports or other equivalent documents;

(b) Bringing into the country, obtaining or being inn possession of such forged or falsified documents knowing them to be forged or falsified;

(c) Obtaining such documents by means of false declarations or documents;

(d) Wilfully using any such documents which are forged or falsified or were made out for a person other than the bearer.

2. The wilful issue of passports, other equivalent documents, or visas by competent officials to persons known not to have the right thereto under the laws or regulations applicable, with the object of assisting any activity contrary to the purpose of the present Convention, shall also be punishable.

3. The provisions of the present article shall apply irrespective of the national or foreign character or the document.

Article 15

1. Results of the investigation of offences mentioned in Articles 2 and 3 and where there may be a connection between the offence and preparations for an act of terrorism) in Article 14 shall in each country, subject to the provisions of its law, be centralized in an appropriate service.

2. Such service shall be in close contact;

   1. With the police authorities of the country;
   2. With the corresponding services in other countries

3. It shall furthermore bring together all information calculated to facilitate the prevention and punishment of the offences mentioned in Articles 2 and 3 and where there may be a connection between the offence and preparations for an act of terrorism) in Article 14; it shall, as far as possible, keep in close contact with the judicial authorities of the country.

Article 16

Each service, so far as it considers it desirable to do so, shall notify to the services of the other countries, giving all necessary particulars;

1. Any act mentioned in Articles 2 and 3, even if it has not been carried into effect, such notification to be accompanied by descriptions, copies and photographs;

2. Any search for, any prosecution, arrest, conviction or expulsion of persons guilty of offences dealt with in the present Convention, the movements of such persons an any pertinent information with regard to them, as well as their description, finger-prints and photographs;

3. Discovery of documents, arms, appliances or other objects connected with offences mentioned in Articles 2, 3, 13 and 14.

Article 17

1. The High Contracting Parties shall be bound to execute letters of request relating to offences referred to in the present Convention in accordance with their domestic law and practice and any international conventions concluded or to be concluded by them.

2. The transmission of letters of request shall be effected:

(a) By direct communication between the judicial authorities;

(b) By direct correspondence between the Ministers of Justice of the two countries;

(c) By direct correspondence between the authority of the country making the request and the Minister of Justice of the country to which the request is made;

(d) Through the diplomatic or consular representative of the country making the request in the country to which the request is made; this representative shall send the letters of request, either directly or through the Minister for Foreign Affairs, to the competent judicial authority or to the authority indicated by the Government of the country to which the request is made and shall receive the papers constituting the execution of the letters of request from this authority either directly or through the Minister for Foreign Affairs.

3. In cases (a) and (d), a copy of the letters of request shall always be sent simultaneously to the Minister of Justice of the country to which application is made.

4. Unless otherwise agreed, the letters of request shall be drawn up in the language of the authority making the request, provided always that the country to which the request is made may require a translation in its own language, certified correct by the authority making the request.

5. Each High Contracting Party shall notify to each of the other High Contracting Parties the method or methods of transmission mentioned above which he will recognize for the letters of request of the latter High Contracting Party.

6. Until such notification is made by a High contracting Party, his existing procedure in regard to letters of request shall remain in force.

7. Execution of letters of request shall not give rise to a claim for reimbursement of charges or expenses of any nature whatever other than expenses of experts.

8. Nothing in the present article shall be construed as an undertaking on the part of the High Contracting Parties to adopt in criminal matters any form or methods of proof contrary to their laws.

Article 18

The participation of a High Contracting Party in the present Convention shall not be interpreted as affecting that Party's attitude on the general question of the limits of criminal jurisdiction as a question of international law.

Article 19

The present convention does not affect the principle that, provided the offender is not allowed to escape punishment owing to an omission in the criminal law, the

characterization of the various offences dealt with in the present Convention, he imposition of sentences, the methods of prosecution and trial, and the rules as to mitigating circumstances, pardon and amnesty are determined in each country by the provisions of domestic law.

Article 20

1. If any dispute should arise between the high Contracting Parties relating to the interpretation or application of the present Convention, and if such dispute has not been satisfactorily solved by diplomatic means, it shall be settled in conformity with the provisions in force between the parties concerning the settlement of international disputes.
2. If such provisions should not exist between the parties to the dispute, the parties shall refer the dispute to an arbitral or judicial procedure. If no agreement is reached on the choice of another court, the parties shall refer the dispute to the Permanent Court of International Justice, if they are all parties to the Protocol of 16 December 1920, relating to the Statute of that Court; and if they are not all parties to that Protocol, they shall refer the dispute to a court of arbitration constituted in accordance with the Convention of The Hague of 18 October 1907, for the Pacific settlement of International Disputes.
3. The above provisions of the present article shall not prevent High Contracting Parties, if they are Members of the League of Nations, from bringing the dispute before the Council or the assembly of the League if the Covenant gives them the power to do so.

Article 21

1. The present Convention, of which the French and English texts shall be both authentic, shall bear today's date. Until 31 May 1938, it shall be open for signature on behalf of any Member of the League of nations and on behalf of any non-member State represented at the Conference which drew up the present Convention or to which a copy thereof is communicated for this purpose by the Council of the League of Nations.
2. The present Convention shall be ratified. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations to be deposited in the archives of the League: the Secretary-General shall notify their deposit to all the Members of the League and to the non-member States mentioned in the preceding paragraph.

Article 22

1. After 1 June 1938, the present Convention shall be open to accession by any Member of the League of Nations, and any of the non-member States referred to in Article 21, on whose behalf the Convention has not been signed.
2. The instruments of accession shall be transmitted to the Secretary-General of the League of Nations to be deposited in the archives of the League; the Secretary-General shall notify their receipt to all the Members of the League and to the non-member States referred to in Article 21.

Article 23

1. Any Member of the League of Nations or non-member State which is prepared to ratify the Convention under the second paragraph of Article 21, or to accede to the Convention under Article 22, but desires to be allowed to make reservations with regard to the application of the Convention, may so inform the Secretary-General of the League of Nations, who shall forthwith communicate such reservations to all the Members of the League and non-member States on whose behalf ratifications or accessions have been deposited and inquire whether they have any objection thereto. Should the reservation be formulated within three years from the entry into force of the Convention, the same inquiry shall be addressed to Members of the League and non-member States whose signature of the Convention has not yet been followed by ratification. If within six months from the date of the Secretary-General's communication, no objection to the reservation has been made, it shall be treated as accepted by the High Contracting Parties.

2. In the event of any objection being received, the Secretary-General of the League of Nations shall inform the Government which desired to make the reservation and request it to inform him whether it is prepared to ratify or accede without the reservation or whether it prefers to abstain from ratification or accession.

Article 24

Ratification of, or accession to, the present Convention by any High Contracting Party implies an assurance by him that his legislation and his administrative organization enable him to give effect to the provisions of the present Convention.

Article 25

1. Any High contracting Party may declare, at the time of signature, ratification or accession, that, in accepting the present Convention, he is not assuming any obligation in respect of all or any of his colonies, protectorates, oversea territories, territories under his suzerainty or territories in respect of which a mandate has been entrusted to him; the present Convention shall, in that case, not be applicable to the territories named in such declaration.

2. Any High Contracting Party may subsequently notify the Secretary-General of the League of Nations that he desires the present Convention to apply to all or any of the territories in respect of which the declaration provided for in the preceding paragraph has been made. In making such notification, the High Contracting Party concerned may state that the application of the Convention to any of such territories shall be subject to any reservations which have been accepted in respect of that High Contracting Party under Article 23. The Convention shall then apply, with any such reservations, to all the territories named in such notification ninety days after the receipt thereof by the Secretary-General of the League of Nations. Should it be desired as regards any such territories to make reservations other than those already made under Article 23 by the High Contracting Party concerned, the procedure set out in that article shall be followed.

3. Any High Contracting Party may at any time declare that he desires the present Convention to cease to apply to all or any of his colonies, proctectorates, oversea

territories, territories under his suzerainty or territories in respect of which a mandate has been entrusted to him. The Convention shall, in that case, cease to apply to the territories named in such declaration one year after the receipt of this declaration by the Secretary-General of the League of Nations.

4. The Secretary-General of the League of Nations shall communicate to all the Members of the League of Nations and to the non-member States referred to in Article 21 the declarations and notifications received in virtue of the present Article.

Article 26

1. The present Convention shall, in accordance with the provisions of article 18 of the Covenant, be registered by the Secretary-General of the League of Nations on the ninetieth day after the receipt by the Secretary-General of the third instrument of ratification or accession.

2. The Convention shall come into force on the date of such registration.

Article 27

Each ratification or accession taking place after the deposit of the third instrument of ratification or accession shall take effect on the ninetieth day following the date on which the instrument of ratification or accession is received by the Secretary-General of the League of Nations.

Article 28

A request for the revision of the present Convention may be made at any time by any High Contracting Party by means of a notification to the Secretary-General of the League of Nations. Such notification shall be communicated by the Secretary-General to all the other High Contracting Parties and, if it is supported by at least a third of those Parties, the High Contracting Parties undertake to hold a conference for the revision of the Convention.

Article 29

The present Convention may be denounced on behalf of any High Contracting Party by a notification in writing addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-member States referred to in Article 21. Such denunciation shall take effect one year after the date of its receipt by the Secretary-General of the League of Nations, and shall be operative only in respect of the High Contracting Party on whose behalf it was made.

Annex

CONVENTION FOR THE CREATION OF AN INTERNATIONAL CRIMINAL COURT

. . . .

Being desirous on the occasion of concluding the Convention for the Prevention and Punishment of Terrorism, which bears to-day's date, of creating an International Criminal Court with a view to making progress in the struggle against offences of an international character,

Have appointed as their Plenipotentiaries:

. . . .

Who, having communicated their full powers, which were found in good and due form, have agreed upon the following provisions:

Article 1

An International Criminal Court for the trial, as hereinafter provided, of persons accused of an offence dealt with in the Convention for the Prevention and Punishment of Terrorism is hereby established.

Article 2

1. In the cases referred to in Articles 2, 3, 9 and 10 of the Convention for the Prevention and Punishment of Terrorism, each High Contracting Party to the present Convention shall be entitled, instead of prosecuting before his own courts, to commit the accused for trial to the Court.

2. A High Contracting Party shall further, in cases where he is able to grant extradition in accordance with Article 8 of the said Convention, be entitled to commit the accused for trial to the Court if the State demanding extradition is also a Party to the present Convention.

3. The High Contracting Parties recognize that other Parties discharge their obligations towards them under the Convention for the Prevention and Punishment of Terrorism by making use of the right given them by the present article.

Article 3

The Court shall be a permanent body, but shall sit only when it is seized of proceedings for an offence within its jurisdiction.

Article 4

The seat of the Court shall be established at The Hague. For any particular case, the President may take the opinion of the Court and the Court may decide to meet elsewhere.

Article 5

The Court shall be composed of judges chosen from among jurists who are acknowledged authorities on criminal law and who are or have been members of courts of criminal jurisdiction or possess the qualifications required for such appointments in their own countries.

Article 6

The Court shall consist of five regular judges and five deputy judges, each belonging to a different nationality, but so that the regular judges and deputy judges shall be nationals of the High Contracting Parties.

Article 7

1. Any Member of the League of Nations and any non-member State, in respect of which the present Convention is in force, may nominate not more than two candidates for appointment as judges of the Court.
2. The Permanent Court of International Justice shall be requested to choose the regular and deputy judges from the persons so nominated.

Article 8

Every member of the Court shall, before taking up his duties, give a solemn undertaking in open Court that he will exercise his powers impartially and conscientiously.

Article 9

The High Contracting Parties shall grant the members of the Court diplomatic privileges and immunities when engaged on the business of the Court.

Article 10

1. Judges shall hold office for ten years.
2. Every two years, one regular and one deputy judge shall retire.
3. The order of retirement for the first period of ten years shall be determined by lot when the first election takes place.
4. Judges may be re-appointed.
5. Judges shall continue to discharge their duties until their places have been filled.
6. Nevertheless, judges, though replaced, shall finish any cases which they have begun.

Article 11

1. Any vacancy, whether occurring on the expiration of a judge's term of office or for any other cause, shall be filled as provided in Article 7.
2. In the event of the resignation of a member of the Court, the resignation shall take effect on notification being received by the Registrar.
3. If a seat on the Court becomes vacant more than eight months before the date at which a new election to that seat would normally take place, the High Contracting Parties shall within two months nominate candidates for the seat in accordance with Article 7, paragraph 1.

Article 12

A member of the Court cannot be dismissed unless in the unanimous opinion of all the other members, including both regular and deputy judges, he has ceased to fulfil the required conditions.

Article 13

A judge appointed in place of a judge whose period of appointment has not expired shall hold the appointment for the remainder of the predecessor's term.

Article 14

The Court shall elect its President and Vice-President for two years; they may be re-elected.

Article 15

The Court shall establish regulations to govern its practice and procedure.

Article 16

The work of the Registry of the Court shall be performed by the Registry of the Permanent Court of International Justice, if that Court consents.

Article 17

The Court's archives shall be in the charge of the Registrar.

Article 18

The number of members who shall sit to constitute the Court shall be five.

Article 19

1. Members of the Court may not take part in trying any case in which they have previously been engaged in any capacity whatsoever. In case of doubt, the Court shall decide.
2. If, for some special reason, a member of the Court considers that he should not sit to try a particular case, he shall so notify the President as soon as he has been informed that the Court is seized of that case.

Article 20

1. If the presence of five regular judges is not secured, the necessary number shall be made up by calling upon the deputy judges in their order on the list.
2. The list shall be prepared by the Court and shall have regard, first, to priority of appointment and, secondly to age.

Article 21

1. The substantive criminal law to be applied by the Court shall be that which is the least severe. In determining what that law is, the Court shall take into consideration the law of the territory on which the offence was committed and the law of the country which committed the accused to it for trial.
2. Any dispute as to what substantive criminal law is applicable shall be decided by the Court.

Article 22

If the Court has to apply, in accordance with Article 21, the law of a State of which no sitting judge is a national, the Court may invite a jurist who is an acknowledged authority on such law to sit with it in a constitutive capacity as a legal assessor.

Article 23

A High Contracting Party who avails himself of the right to commit an accused person for trial to the Court shall notify the President through the Registry.

Article 24

The President of the Court, on being informed by a High Contracting Party of his decision to commit an accused person for trial to the Court in accordance with Article 2, shall notify the State against which the offence was directed, the State on whose

territory the offence was committed and the State of which the accused is a national.

Article 25

1. The Court is seized so soon as a High Contracting Party has committed an accused person to it for trial.
2. The document committing an accused person to the Court for trial shall contain a statement of the principal charges against him and the allegations on which they are based, and shall name the agent by whom the State will be represented.
3. The State which committed the accused person to the Court shall conduct the prosecution unless the State against which the offence was directed or, failing that State, the State on whose territory the offence was committed expresses a wish to prosecute.

Article 26

1. Any State entitled to seize the Court may intervene, inspect the file, submit a statement of its case to the Court and take part in the oral proceedings.
2. Any person directly injured by the offence may, if authorized by the Court, and subject to any conditions which it may impose, constitute himself *partie civile* before the Court; such person shall not take part in the oral proceeding except when the Court is dealing with the damages.

Article 27

The Court may not entertain charges against any person except the person committed to it for trial, or try any accused person for any offences other than those for which he has been committed.

Article 28

The Court shall not proceed further with the case and shall order the accused to be discharged if the prosecution is abandoned and not at once recommended by a State entitled to prosecute.

Article 29

1. Accused persons may be defended by advocates belonging to a Bar and approved by the Court.
2. If provision is not made for the conduct of the defense by a barrister chosen by the accused, the Court shall assign to each accused person a counsel selected from advocates belonging to a Bar.

Article 30

The file of the case and the statement of the *partie civile* shall be communicated to the person who is before the Court for trial.

Article 31

1. The Court shall decide whether a person who has been committed to it for trial shall be placed or remain under arrest. Where necessary, it shall determine on what conditions he may be provisionally set at liberty.
2. The State on the territory of which the Court is sitting shall place at the Court's disposal a suitable place of internment and the necessary staff of warders for the custody of the accused.

Article 32

The parties may submit to the Court the names of witnesses and experts, but the Court shall be free to decide whether they shall be summoned and heard. The Court may always, even of its own motion, hear other witnesses and experts. The same rules shall apply as regards any other kind of evidence.

Article 33

Any letters of request which the Court considers it necessary to have despatched shall be transmitted to the State competent to give effect thereto by the method prescribed by the regulations of the Court.

Article 34

No examination, no hearing of witnesses or experts and no confrontation may take place before the Court except in the presence of the counsel for the accused and of the representatives of the States which are taking part in the proceedings or after these representatives have been duly summoned.

Article 35

1. The hearings before the Court shall be public.
2. Nevertheless, the Court may, by a reasoned judgment, decide that the hearing shall take place in camera. Judgment shall always be pronounced at a public hearing.

Article 36

The Court shall sit in private to consider its judgment.

Article 37

The decisions of the Court shall be by majority of the judges.

Article 38

Every judgment or order of the Court shall state the reasons therefor and be read at a public hearing by the President.

Article 39

1. The Court shall decide whether any object is to be confiscated or be restored to its owner.
2. The Court may sentence the persons committed to it to pay damages.
3. High Contracting Parties in whose territory objects to be restored or property belonging to convicted persons is situated shall be bound to take all the measures provided by their own laws to ensure the execution of the sentences of the Court.
4. The provisions of the preceding paragraph shall also apply to cases in which pecuniary penalties imposed by the Court or costs of proceedings have to be recovered.

Article 40

1. Sentences involving loss of liberty shall be executed by a High Contracting Party chosen with his consent by the Court. Such consent may not be refused by the State which committed the convicted person to the Court for trial. The sentence shall always be executed by the State which committed the convicted person to the Court if this State expresses the wish to do so.
2. The Court shall determine the way in which any fines shall be dealt with.

Article 41

If sentence of death has been pronounced, the State designated by the Court to execute the sentence shall be entitled to substitute therefor the most severe penalty provided by its national law which involves loss of liberty.

Article 42

The right of pardon shall be exercised by the State which has to enforce the penalty. It shall first consult the President of the Court.

Article 43

1. Against convictions pronounced by the Court, no proceedings other than an application for revision shall be allowable.
2. The Court shall determine in its rules the cases in which an application for revision may be made.
3. The States mentioned in Article 25, and the persons mentioned in Article 29, shall have the right to ask for a revision.

Article 44

1. The salaries of the judges shall be payable by the States of which they are nationals on a scale fixed by the High Contracting Parties.
2. There shall be created by contributions from the High Contracting Parties a common fund from which the costs of the proceedings and other expenses involved in the trial of cases, including any fees and expenses of counsel assigned to the accused by the Court, shall be defrayed, subject to recovery from the accused if he is convicted. The special allowance to the Registrar and the expenses of the Registry shall be met out of this fund.

Article 45

1. The Court shall decide any questions as to its own jurisdiction arising during the hearing of a case; it shall for the purpose apply the provisions of the present Convention and of the Convention for the Prevention and Punishment of Terrorism and the general principles of law.
2. If a High Contracting Party, not being the Party who sent the case in question for trial to the Court, disputes the extent of the Court's jurisdiction in relation to the jurisdiction of his own national courts and does not see his way to appear in the proceedings in order that the question may be decided by the International Criminal Court, the question shall be treated as arising between such High Contracting Party and the High Contracting Party who sent the case for trial to the Court, and shall be settled as provided in Article 48.

Article 46

1. The representatives of the High Contracting Parties shall meet with a view to taking all necessary decisions concerning:

(a) The constitution and administration of the common fund, the division among the High Contracting Parties of the sums considered necessary to create and maintain such fund and, in general, all questions bearing on the establishment and the working of the Court;

(b) The organization of the meetings referred to below in paragraph 3.

2. At their first meeting, the representatives of the High Contracting Parties shall also decide what modifications are necessary in order to attain the objects of the present Convention.
3. The Registrar of the Court shall convene subsequent meetings in conformity with the rules established to that effect.
4. All questions of procedure that may arise at the meetings referred to in the present article shall be decided by a majority of two-thirds of the High Contracting Parties represented at the meeting.

Article 47

1. Until the present Convention is in force between twelve High Contracting Parties, it shall be possible for a judge and a deputy judge to be both nationals of the same High Contracting Party.
2. Article 18 and Article 20, paragraph 1, shall not be applied in such a manner as to cause a judge and a deputy judge of the same nationality to sit simultaneously on the Court.

Article 48

1. If any dispute should arise between the High Contracting Parties relating to the interpretation or application of the present Convention, and if such dispute has not been satisfactorily solved by diplomatic means, it shall be settled in conformity with the provisions in force between the Parties concerning the settlement of international disputes.
2. If such provisions should not exist between the parties to the dispute, the parties shall refer the dispute to an arbitral or judicial procedure. If no agreement is reached on the choice of another court, the parties shall refer the dispute to the Permanent Court of International Justice, if they are all parties to the Protocol of December 16th, 1920, relating to the Statute of that Court; and if they are not all parties to that Protocol, they shall refer the dispute to a court of arbitration constituted in accordance with the Convention of The Hague of October 18th, 1907, for the Pacific Settlement of International Disputes.

Article 49

1. The present Convention, of which the French and English texts shall both be authentic, shall bear to-day's date. Until May 31st, 1938, it shall be open for signature on behalf of any Member of the League of Nations or any non-member State on whose behalf the Convention for the Prevention and Punishment of Terrorism has been signed.
2. The present Convention shall be ratified. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations to be deposited in the archives of the League. The Secretary-General shall notify their deposit to all the Members of the League and to the non-member States mentioned in the preceding paragraph. The deposit of an instrument of ratification of the present Convention shall be conditional on the deposit by the same High Contracting Party of an instrument of ratification of, or accession to, the Convention for the Prevention and Punishment of Terrorism.

Article 50

1. After June 1st, 1938, the present Convention shall be open to accession by any Member of the League of Nations and any non-member State which has not signed this Convention. Nevertheless, the deposit of an instrument of accession shall be conditional on the deposit by the same High Contracting Party of an instrument of ratification of, or accession to, the Convention for the Prevention and Punishment of Terrorism.

2. The instruments of accession shall be transmitted to the Secretary-General of the League of Nations to be deposited in the archives of the League; the Secretary-General shall notify their deposit to all the Members of the League and to the non-member States referred to in Article 49.

Article 51

Signature, ratification or accession to the present Convention may not be accompanied by any reservations except in regard to Article 26, paragraph 2.

Article 52

1. Any High Contracting Party may declare, at the time of signature, ratification or accession, that, in accepting the present Convention, he is not assuming any obligation in respect of all or any of his colonies, protectorates or oversea territories, territories under his suzerainty or territories in respect of which a mandate has been entrusted to him; the present Convention shall, in that case, not be applicable to the territories named in such declaration.

2. Any High Contracting Party may subsequently notify the Secretary-General of the League of Nations that he desires the present Convention to apply to all or any of the territories in respect of which the declaration provided for in the preceding paragraph has been made. The Convention shall, in that case, apply to all the territories named in such notification ninety days after the receipt thereof by the Secretary-General of the League of Nations.

3. Any High Contracting Party may, at any time, declare that he desires the present Convention to cease to apply to all or any of his colonies, protectorates, oversea territories, territories under his suzerainty or territories in respect of which a mandate has been entrusted to him. The Convention shall, in that case, cease to apply to the territories named in such declaration one year after the receipt of this declaration by the Secretary-General of the League of Nations.

4. The Secretary-General of the League of Nations shall communicate to all the Members of the League of Nations and to the non-member States mentioned in Articles 49 and 50 the declarations and notifications received in virtue of the present article.

Article 53

1. The Government of the Netherlands is requested to convene a meeting of representatives of the States which ratify or accede to the present Convention. The meeting is to take place within one year after the receipt of the seventh instrument of ratification or accession by the Secretary-General of the League of Nations and has for object to fix the date at which the present Convention shall be put into force. The

decision shall be taken by a majority which must be a two-thirds majority and include not less than six votes. The meeting shall also take any decisions necessary for carrying out the provisions of Article 46.

2. The entry into force of the present Convention shall, however, be subject to the entry into force of the Convention for the Prevention and Punishment of Terrorism.

3. The present Convention shall be registered by the Secretary-General of the League of Nations in accordance with Article 18 of the Covenant on the day fixed by the above-mentioned meeting.

Article 54

A ratification or accession by a State which has not taken part in the meeting mentioned in Article 53 shall take effect ninety days after its receipt by the Secretary-General of the League of Nations, provided that the date at which it takes effect shall not be earlier than ninety days after the entry into force of the Convention.

Article 55

The present Convention may be denounced on behalf of any High Contracting Party by a notification in writing addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-member States referred to in Articles 49 and 50. Such denunciation shall take effect one year after the date of the receipt by the Secretary-General of the League of Nations, and shall be operative only in respect of the High Contracting Party on whose behalf it was made.

Article 56

1. A case brought before the Court before the denunciation of the present Convention, or the making of a declaration as provided in Article 52, paragraph 3, shall nevertheless continue to be heard and judgment be given by the Court.

2. A High Contracting Party who before denouncing the present Convention has under the provisions thereof incurred the obligation of carrying out a sentence shall continue to be bound by such obligation.

State Signatories

Albania; Argentina; Belgium; Bulgaria; Cuba; Czechoslovakia; Dominican Republic; Ecuador; Egypt; Estonia; France; Greece; Haiti; India; Monaco; the Netherlands; Norway; Peru; Romania; Spain; Turkey; Union of Soviet Socialist Republics; Venezuela; Yugoslavia

State Parties

اتفاقيـــة ١٩٧٣ لمنع الجرائم المرتكبة ضد الأشخاص المتمتعين بالحمايـــة الدوليـــة، بمن فيهم الموظفون الدبلوماسيـــون، والمعاقبة علي تلك الجرائم

(بشأن الهجمـــات على كبار المسؤوليـــن الحكوميـــن والدبلوماسييـــن)

دخلت حيز النفاذ فى ٢٠ فبراير ١٩٧٧

صدقت عليها مصـــر فى ٢٥ يونية ١٩٨٦

MULTILATERAL

Convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents (with resolution 3166 (XXVIII) of the General Assembly of the United Nations). Adopted by the General Assembly of the United Nations, at New York, on 14 December 1973

Authentic texts: English, French, Chinese, Russian and Spanish.
Registered ex officio *on 20 February 1977.*

MULTILATÉRAL

Convention sur la prévention et la répression des infractions contre les personnes jouissant d'une protection internationale, y compris les agents diplomatiques [avec résolution 3166 (XXVIII) de l'Assemblée générale des Nations Unies]. Adoptée par l'Assemblée générale des Nations Unies, à New York, le 14 décembre 1973

Textes authentiques : anglais, français, chinois, russe et espagnol.
Enregistrée d'office le 20 février 1977.

CONVENTION[1] ON THE PREVENTION AND PUNISHMENT OF CRIMES AGAINST INTERNATIONALLY PROTECTED PERSONS, INCLUDING DIPLOMATIC AGENTS

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and the promotion of friendly relations and co-operation among States,

Considering that crimes against diplomatic agents and other internationally protected persons jeopardizing the safety of these persons create a serious threat to the maintenance of normal international relations which are necessary for co-operation among States,

Believing that the commission of such crimes is a matter of grave concern to the international community,

[1] Came into force on 20 February 1977 in respect of the States listed hereafter, i.e., the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations, in accordance with article 17 (1):

State	*Date of deposit of the instrument of ratification, or accession (a)*
Bulgaria*	18 July 1974
Byelorussian Soviet Socialist Republic*	5 February 1976
Canada	4 August 1976
Chile	21 January 1977 *a*
Cyprus	24 December 1975 *a*
Czechoslovakia*	30 June 1975
Denmark (With a declaration to the effect that, until further decision, the Convention shall not apply to the Faroe Islands and Greenland.)	1 July 1975
Ecuador	12 March 1975
German Democratic Republic*	30 November 1976
Ghana*	25 April 1975 *a*
Hungary*	26 March 1975
Liberia	30 September 1975 *a*
Mongolia*	8 August 1975
Nicaragua	10 March 1975
Pakistan*	29 March 1976 *a*
Paraguay	24 November 1975
Philippines	26 November 1976 *a*
Sweden	1 July 1975
Tunisia	21 January 1977
Ukrainian Soviet Socialist Republic*	20 January 1976
Union of Soviet Socialist Republics*	15 January 1976
United States of America	26 October 1976
Yugoslavia	29 December 1976

Subsequently, the Convention came into force in respect of the State listed hereafter on the thirtieth day following the date of deposit of its instrument of ratification with the Secretary-General of the United Nations, in accordance with article 17 (2):

State	*Date of deposit of the instrument of ratification*
Germany, Federal Republic of (With effect from 24 February 1977. With a declaration of application to Berlin (West)).	25 January 1977

* See p. 228 of this volume for the texts of the declarations and reservations made upon ratification and accession.

Convinced that there is an urgent need to adopt appropriate and effective measures for the prevention and punishment of such crimes,

Have agreed as follows:

Article 1. For the purposes of this Convention:

1. "Internationally protected person" means:

(*a*) a Head of State, including any member of a collegial body performing the functions of a Head of State under the constitution of the State concerned, a Head of Government or a Minister for Foreign Affairs, whenever any such person is in a foreign State, as well as members of his family who accompany him;

(*b*) any representative or official of a State or any official or other agent of an international organization of an intergovernmental character who, at the time when and in the place where a crime against him, his official premises, his private accommodation or his means of transport is committed, is entitled pursuant to international law to special protection from any attack on his person, freedom or dignity, as well as members of his family forming part of his household;

2. "Alleged offender" means a person as to whom there is sufficient evidence to determine *prima facie* that he has committed or participated in one or more of the crimes set forth in article 2.

Article 2. 1. The intentional commission of:

(*a*) a murder, kidnapping or other attack upon the person or liberty of an internationally protected person;

(*b*) a violent attack upon the official premises, the private accommodation or the means of transport of an internationally protected person likely to endanger his person or liberty;

(*c*) a threat to commit any such attack;

(*d*) an attempt to commit any such attack; and

(*e*) an act constituting participation as an accomplice in any such attack;

shall be made by each State Party a crime under its internal law.

2. Each State Party shall make these crimes punishable by appropriate penalties which take into account their grave nature.

3. Paragraphs 1 and 2 of this article in no way derogate from the obligations of States Parties under international law to take all appropriate measures to prevent other attacks on the person, freedom or dignity of an internationally protected person.

Article 3. 1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the crimes set forth in article 2 in the following cases:

(*a*) when the crime is committed in the territory of that State or on board a ship or aircraft registered in that State;

(*b*) when the alleged offender is a national of that State;

(*c*) when the crime is committed against an internationally protected person as defined in article 1 who enjoys his status as such by virtue of functions which he exercises on behalf of that State.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over these crimes in cases where the alleged offender is present in its territory and it does not extradite him pursuant to article 8 to any of the States mentioned in paragraph 1 of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 4. States Parties shall co-operate in the prevention of the crimes set forth in article 2, particularly by:

(*a*) taking all practicable measures to prevent preparations in their respective territories for the commission of those crimes within or outside their territories;

(*b*) exchanging information and co-ordinating the taking of administrative and other measures as appropriate to prevent the commission of those crimes.

Article 5. 1. The State Party in which any of the crimes set forth in article 2 has been committed shall, if it has reason to believe that an alleged offender has fled from its territory, communicate to all other States concerned, directly or through the Secretary-General of the United Nations, all the pertinent facts regarding the crime committed and all available information regarding the identity of the alleged offender.

2. Whenever any of the crimes set forth in article 2 has been committed against an internationally protected person, any State Party which has information concerning the victim and the circumstances of the crime shall endeavour to transmit it, under the conditions provided for in its internal law, fully and promptly to the State Party on whose behalf he was exercising his functions.

Article 6. 1. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the alleged offender is present shall take the appropriate measures under its internal law so as to ensure his presence for the purpose of prosecution or extradition. Such measures shall be notified without delay directly or through the Secretary-General of the United Nations to:

(*a*) the State where the crime was committed;

(*b*) the State or States of which the alleged offender is a national or, if he is a stateless person, in whose territory he permanently resides;

(*c*) the State or States of which the internationally protected person concerned is a national or on whose behalf he was exercising his functions;

(*d*) all other States concerned; and

(*e*) the international organization of which the internationally protected person concerned is an official or an agent.

2. Any person regarding whom the measures referred to in paragraph 1 of this article are being taken shall be entitled:

(*a*) to communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to protect his rights or, if he is a stateless person, which he requests and which is willing to protect his rights; and

(*b*) to be visited by a representative of that State.

Article 7. The State Party in whose territory the alleged offender is present shall, if it does not extradite him, submit, without exception whatsoever and without undue delay, the case to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State.

Article 8. 1. To the extent that the crimes set forth in article 2 are not listed as extraditable offences in any extradition treaty existing between States Parties, they

shall be deemed to be included as such therein. States Parties undertake to include those crimes as extraditable offences in every future extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may, if it decides to extradite, consider this Convention as the legal basis for extradition in respect of those crimes. Extradition shall be subject to the procedural provisions and the other conditions of the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize those crimes as extraditable offences between themselves subject to the procedural provisions and the other conditions of the law of the requested State.

4. Each of the crimes shall be treated, for the purpose of extradition between States Parties, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance wth paragraph 1 of article 3.

Article 9. Any person regarding whom proceedings are being carried out in connexion with any of the crimes set forth in article 2 shall be guaranteed fair treatment at all stages of the proceedings.

Article 10. 1. States Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of the crimes set forth in article 2, including the supply of all evidence at their disposal necessary for the proceedings.

2. The provisions of paragraph 1 of this article shall not affect obligations concerning mutual judicial assistance embodied in any other treaty.

Article 11. The State Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

Article 12. The provisions of this Convention shall not affect the application of the Treaties on Asylum, in force at the date of the adoption of this Convention, as between the States which are parties to those Treaties; but a State Party to this Convention may not invoke those Treaties with repect to another State Party to this Convention which is not a party to those Treaties.

Article 13. 1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 14. This Convention shall be opened for signature by all States, until 31 December 1974, at United Nations Headquarters in New York.

Article 15. This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 16. This Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 17. 1. This Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 18. 1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect six months following the date on which notification is received by the Secretary-General of the United Nations.

Article 19. The Secretary-General of the United Nations shall inform all States, *inter alia*:

(*a*) of signatures to this Convention, of the deposit of instruments of ratification or accession in accordance with articles 14, 15 and 16 and of notifications made under article 18;

(*b*) of the date on which this Convention will enter into force in accordance with article 17.

Article 20. The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at New York on 14 December 1973.

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents

New York, 14 December 1973

Entry into force : 20 February 1977, in accordance with article 17(1)

Registration : 20 February 1977, No. 15410

Status : Signatories : 25. Parties : 173

Text : United Nations, *Treaty Series*, vol. 1035, p. 167.

Note : The Convention was opened for signature at New York on 14 December 1973 until 31 December 1974.

Participant	Signature	Ratification, Accession(a), Succession(d)
Afghanistan		24 Sep 2003 a
Albania		22 Jan 2002 a
Algeria		7 Nov 2000 a
Andorra		23 Sep 2004 a
Antigua and Barbuda		19 Jul 1993 a
Argentina		18 Mar 1982 a
Armenia		18 May 1994 a
Australia	30 Dec 1974	20 Jun 1977
Austria		3 Aug 1977 a
Azerbaijan		2 Apr 2001 a
Bahamas		22 Jul 1986 a
Bahrain		16 Sep 2005 a
Bangladesh		20 May 2005 a
Barbados		26 Oct 1979 a
Belarus	11 Jun 1974	5 Feb 1976
Belgium		19 May 2004 a
Belize		14 Nov 2001 a
Benin		31 Jul 2003 a
Bhutan		16 Jan 1989 a
Bolivia		22 Jan 2002 a
Bosnia and Herzegovina [1]		1 Sep 1993 d
Botswana		25 Oct 2000 a
Brazil		7 Jun 1999 a
Brunei Darussalam		13 Nov 1997 a
Bulgaria	27 Jun 1974	18 Jul 1974
Burkina Faso		1 Oct 2003 a
Burundi		17 Dec 1980 a
Cambodia		27 Jul 2006 a
Cameroon		8 Jun 1992 a
Canada	26 Jun 1974	4 Aug 1976
Cape Verde		10 Sep 2002 a
Central African Republic		19 Feb 2008 a
Chile		21 Jan 1977 a
China [2, 3]		5 Aug 1987 a
Colombia		16 Jan 1996 a
Comoros		25 Sep 2003 a
Costa Rica		2 Nov 1977 a
Côte d'Ivoire		13 Mar 2002 a
Croatia [1]		12 Oct 1992 d
Cuba		10 Jun 1998 a
Cyprus		24 Dec 1975 a
Czech Republic [4]		22 Feb 1993 d
Democratic People's Republic of Korea		1 Dec 1982 a
Democratic Republic of the Congo		25 Jul 1977 a
Denmark [5]	10 May 1974	1 Jul 1975
Djibouti		1 Jun 2004 a
Dominica		24 Sep 2004 a
Dominican Republic		8 Jul 1977 a

Ecuador	27 Aug 1974	12 Mar 1975
Egypt		25 Jun 1986 a
El Salvador		8 Aug 1980 a
Equatorial Guinea		7 Feb 2003 a
Estonia		21 Oct 1991 a
Ethiopia		16 Apr 2003 a
Fiji		15 May 2008 a
Finland	10 May 1974	31 Oct 1978
France		26 Aug 2003 a
Gabon		14 Oct 1981 a
Georgia		18 Feb 2004 a
Germany [6,7]	15 Aug 1974	25 Jan 1977
Ghana		25 Apr 1975 a
Greece		3 Jul 1984 a
Grenada		13 Dec 2001 a
Guatemala	12 Dec 1974	18 Jan 1983
Guinea		22 Dec 2004 a
Guinea-Bissau		6 Aug 2008 a
Guyana		12 Sep 2007 a
Haiti		25 Aug 1980 a
Honduras		29 Jan 2003 a
Hungary	6 Nov 1974	26 Mar 1975
Iceland	10 May 1974	2 Aug 1977
India		11 Apr 1978 a
Iran (Islamic Republic of)		12 Jul 1978 a
Iraq		28 Feb 1978 a
Ireland		30 Jun 2005 a
Israel		31 Jul 1980 a
Italy	30 Dec 1974	30 Aug 1985
Jamaica		21 Sep 1978 a
Japan		8 Jun 1987 a
Jordan		18 Dec 1984 a
Kazakhstan		21 Feb 1996 a
Kenya		16 Nov 2001 a
Kiribati		15 Sep 2005 a
Kuwait		1 Mar 1989 a
Kyrgyzstan		2 Oct 2003 a
Lao People's Democratic Republic		22 Aug 2002 a
Latvia		14 Apr 1992 a
Lebanon		3 Jun 1997 a
Lesotho		6 Nov 2009 a
Liberia		30 Sep 1975 a
Libyan Arab Jamahiriya		25 Sep 2000 a
Liechtenstein		28 Nov 1994 a
Lithuania		23 Oct 2002 a
Luxembourg		10 May 2006 a
Madagascar		24 Sep 2003 a
Malawi		14 Mar 1977 a
Malaysia		24 Sep 2003 a
Maldives		21 Aug 1990 a
Mali		12 Apr 2002 a
Malta		11 Nov 2001 a
Marshall Islands		27 Jan 2003 a
Mauritania		9 Feb 1998 a
Mauritius		24 Sep 2003 a
Mexico		22 Apr 1980 a
Micronesia (Federated States of)		6 Jul 2004 a
Monaco		27 Nov 2002 a
Mongolia	23 Aug 1974	8 Aug 1975
Montenegro [8]		23 Oct 2006 d
Morocco		9 Jan 2002 a
Mozambique		14 Jan 2003 a
Myanmar		4 Jun 2004 a
Nauru		2 Aug 2005 a
Nepal		9 Mar 1990 a

Netherlands [9]		6 Dec 1988 a
New Zealand [10]		12 Nov 1985 a
Nicaragua	29 Oct 1974	10 Mar 1975
Niger		17 Jun 1985 a
Niue		22 Jun 2009 a
Norway	10 May 1974	28 Apr 1980
Oman		22 Mar 1988 a
Pakistan		29 Mar 1976 a
Palau		14 Nov 2001 a
Panama		17 Jun 1980 a
Papua New Guinea		30 Sep 2003 a
Paraguay	25 Oct 1974	24 Nov 1975
Peru		25 Apr 1978 a
Philippines		26 Nov 1976 a
Poland	7 Jun 1974	14 Dec 1982
Portugal		11 Sep 1995 a
Qatar		3 Mar 1997 a
Republic of Korea		25 May 1983 a
Republic of Moldova		8 Sep 1997 a
Romania	27 Dec 1974	15 Aug 1978
Russian Federation	7 Jun 1974	15 Jan 1976
Rwanda	15 Oct 1974	29 Nov 1977
Sao Tome and Principe		12 Apr 2006 a
Saudi Arabia		1 Mar 2004 a
Senegal		7 Apr 2006 a
Serbia [1]		12 Mar 2001 d
Seychelles		29 May 1980 a
Sierra Leone		26 Sep 2003 a
Singapore		2 May 2008 a
Slovakia [4]		28 May 1993 d
Slovenia [1]		6 Jul 1992 d
South Africa		23 Sep 2003 a
Spain		8 Aug 1985 a
Sri Lanka		27 Feb 1991 a
St. Kitts and Nevis		28 Jul 2008 a
St. Vincent and the Grenadines		12 Sep 2000 a
Sudan		10 Oct 1994 a
Swaziland		4 Apr 2003 a
Sweden	10 May 1974	1 Jul 1975
Switzerland		5 Mar 1985 a
Syrian Arab Republic		25 Apr 1988 a
Tajikistan		19 Oct 2001 a
Thailand		23 Feb 2007 a
The former Yugoslav Republic of Macedonia [1]		12 Mar 1998 d
Togo		30 Dec 1980 a
Tonga		9 Dec 2002 a
Trinidad and Tobago		15 Jun 1979 a
Tunisia	15 May 1974	21 Jan 1977
Turkey		11 Jun 1981 a
Turkmenistan		25 Jun 1999 a
Uganda		5 Nov 2003 a
Ukraine	18 Jun 1974	20 Jan 1976
United Arab Emirates		25 Feb 2003 a
United Kingdom of Great Britain and Northern Ireland	13 Dec 1974	2 May 1979
United States of America	28 Dec 1973	26 Oct 1976
Uruguay		13 Jun 1978 a
Uzbekistan		19 Jan 1998 a
Venezuela (Bolivarian Republic of)		19 Apr 2005 a
Viet Nam		2 May 2002 a
Yemen [11]		9 Feb 1987 a

اتفاقيـــة ١٩٧٩

لمناهضـــة خطـــف الرهائــــــن

صدقت عليها مصــر فى ٢ أكتوبر ١٩٨١

ودخلت حيز النفاذ فى ٣ يونيــــة ١٩٨٣

MULTILATERAL

International Convention against the taking of hostages. Adopted by the General Assembly of the United Nations on 17 December 1979

Authentic texts: English, French, Arabic, Chinese, Russian and Spanish.
Registered ex officio *on 3 June 1983.*

MULTILATÉRAL

Convention internationale contre la prise d'otages. Adoptée par l'Assemblée générale des Nations Unies le 17 décembre 1979

Textes authentiques : anglais, français, arabe, chinois, russe et espagnol.
Enregistrée d'office le 3 juin 1983.

INTERNATIONAL CONVENTION[1] AGAINST THE TAKING OF HOSTAGES

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of friendly relations and co-operation among States,

Recognizing in particular that everyone has the right to life, liberty and security of person, as set out in the Universal Declaration of Human Rights[2] and the International Covenant on Civil and Political Rights,[3]

Reaffirming the principle of equal rights and self-determination of peoples as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,[4] as well as in other relevant resolutions of the General Assembly,

Considering that the taking of hostages is an offence of grave concern to the international community and that, in accordance with the provisions of this Convention, any person committing an act of hostage taking shall either be prosecuted or extradited,

Being convinced that it is urgently necessary to develop international co-operation between States in devising and adopting effective measures for the prevention, prosecution and punishment of all acts of taking of hostages as manifestations of international terrorism,

---

[1] Came into force on 3 June 1983 in respect of the following States, i.e., on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations, in accordance with article 18 (1):

State	*Date of deposit of the instrument of ratification or accession (a)*
Bahamas	4 June 1981 *a*
Barbados	9 March 1981 *a*
Bhutan	31 August 1981 *a*
Chile*	12 November 1981
Egypt	2 October 1981
El Salvador (Confirming the reservation in respect of article 16 (1) made upon signature.)	12 February 1981
Finland	14 April 1983
Germany, Federal Republic of* (With a declaration of application to Berlin (West).)	15 December 1980
Guatemala	11 March 1983
Honduras	1 June 1981
Iceland	6 July 1981 *a*
Kenya (With a reservation in respect of article 16 (1).)	8 December 1981 *a*
Lesotho	5 November 1980
Mauritius	17 October 1980
Norway	2 July 1981
Panama	19 August 1982
Philippines	14 October 1980
Republic of Korea	4 May 1983 *a*
Suriname	5 November 1981
Sweden	15 January 1981
Trinidad and Tobago	1 April 1981 *a*
United Kingdom of Great Britain and Northern Ireland (In respect of the United Kingdom of Great Britain and Northern Ireland and the Territories under the territorial sovereignty of the United Kingdom.)	22 December 1982

* See p. 277 for the texts of the declarations made upon ratification.

[2] United Nations, *Treaty Series*, vol. 213, p. 222.

[3] *Ibid.*, vol. 999, p. 171.

[4] United Nations, *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 28* (A/8028) p. 121.

Have agreed as follows:

Article 1. 1. Any person who seizes or detains and threatens to kill, to injure or to continue to detain another person (hereinafter referred to as the "hostage") in order to compel a third party, namely, a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking of hostages ("hostage-taking") within the meaning of this Convention.

2. Any person who:

(*a*) Attempts to commit an act of hostage-taking, or

(*b*) Participates as an accomplice of anyone who commits or attempts to commit an act of hostage-taking

likewise commits an offence for the purposes of this Convention.

Article 2. Each State Party shall make the offences set forth in article 1 punishable by appropriate penalties which take into account the grave nature of those offences.

Article 3. 1. The State Party in the territory of which the hostage is held by the offender shall take all measures it considers appropriate to ease the situation of the hostage, in particular, to secure his release and, after his release, to facilitate, when relevant, his departure.

2. If any object which the offender has obtained as a result of the taking of hostages comes into the custody of a State Party, that State Party shall return it as soon as possible to the hostage or the third party referred to in article 1, as the case may be, or to the appropriate authorities thereof.

Article 4. States Parties shall co-operate in the prevention of the offences set forth in article 1, particularly by:

(*a*) Taking all practicable measures to prevent preparations in their respective territories for the commission of those offences within or outside their territories, including measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts of taking of hostages;

(*b*) Exchanging information and co-ordinating the taking of administrative and other measures as appropriate to prevent the commission of those offences.

Article 5. 1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over any of the offences set forth in article 1 which are committed:

(*a*) In its territory or on board a ship or aircraft registered in that State;

(*b*) By any of its nationals or, if that State considers it appropriate, by those stateless persons who have their habitual residence in its territory;

(*c*) In order to compel that State to do or abstain from doing any act; or

(*d*) With respect to a hostage who is a national of that State, if that State considers it appropriate.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 1 in cases where

the alleged offender is present in its territory and it does not extradite him to any of the States mentioned in paragraph 1 of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 6. 1. Upon being satisfied that the circumstances so warrant, any State Party in the territory of which the alleged offender is present shall, in accordance with its laws, take him into custody or take other measures to ensure his presence for such time as is necessary to enable any criminal or extradition proceedings to be instituted. That State Party shall immediately make a preliminary inquiry into the facts.

2. The custody or other measures referred to in paragraph 1 of this article shall be notified without delay directly or through the Secretary-General of the United Nations to:

(*a*) The State where the offence was committed;

(*b*) The State against which compulsion has been directed or attempted;

(*c*) The State of which the natural or juridical person against whom compulsion has been directed or attempted is a national;

(*d*) The State of which the hostage is a national or in the territory of which he has his habitual residence;

(*e*) The State of which the alleged offender is a national or, if he is a stateless person, in the territory of which he has his habitual residence;

(*f*) The international intergovernmental organization against which compulsion has been directed or attempted;

(*g*) All other States concerned.

3. Any person regarding whom the measures referred to in paragraph 1 of this article are being taken shall be entitled:

(*a*) To communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to establish such communication or, if he is a stateless person, the State in the territory of which he has his habitual residence;

(*b*) To be visited by a representative of that State.

4. The rights referred to in paragraph 3 of this article shall be exercised in conformity with the laws and regulations of the State in the territory of which the alleged offender is present subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 of this article are intended.

5. The provisions of paragraphs 3 and 4 of this article shall be without prejudice to the right of any State Party having a claim to jurisdiction in accordance with paragraph 1 (*b*) of article 5 to invite the International Committee of the Red Cross to communicate with and visit the alleged offender.

6. The State which makes the preliminary inquiry contemplated in paragraph 1 of this article shall promptly report its findings to the States or organization referred to in paragraph 2 of this article and indicate whether it intends to exercise jurisdiction.

Article 7. The State Party where the alleged offender is prosecuted shall in accordance with its laws communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States concerned and the international intergovernmental organizations concerned.

Article 8. 1. The State Party in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any ordinary offence of a grave nature under the law of that State.

2. Any person regarding whom proceedings are being carried out in connexion with any of the offences set forth in article 1 shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided by the law of the State in the territory of which he is present.

Article 9. 1. A request for the extradition of an alleged offender, pursuant to this Convention, shall not be granted if the requested State Party has substantial grounds for believing:

(*a*) That the request for extradition for an offence set forth in article 1 has been made for the purpose of prosecuting or punishing a person on account of his race, religion, nationality, ethnic origin or political opinion; or

(*b*) That the person's position may be prejudiced:

(i) For any of the reasons mentioned in subparagraph (*a*) of this paragraph, or

(ii) For the reason that communication with him by the appropriate authorities of the State entitled to exercise rights of protection cannot be effected.

2. With respect to the offences as defined in this Convention, the provisions of all extradition treaties and arrangements applicable between States Parties are modified as between States Parties to the extent that they are incompatible with this Convention.

Article 10. 1. The offences set forth in article 1 shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State may at its option consider this Convention as the legal basis for extradition in respect of the offences set forth in article 1. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 1 as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. The offences set forth in article 1 shall be treated, for the purpose of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territories of the States required to establish their jurisdiction in accordance with paragraph 1 of article 5.

Article 11. 1. States Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of the offences set forth in article 1, including the supply of all evidence at their disposal necessary for the proceedings.

2. The provisions of paragraph 1 of this article shall not affect obligations concerning mutual judicial assistance embodied in any other treaty.

Article 12. In so far as the Geneva Conventions of 1949 for the protection of war victims[1] or the Protocols Additional to those Conventions[2] are applicable to a particular act of hostage-taking, and in so far as States Parties to this Convention are bound under those conventions to prosecute or hand over the hostage-taker, the present Convention shall not apply to an act of hostage-taking committed in the course of armed conflicts as defined in the Geneva Conventions of 1949 and the Protocols thereto, including armed conflicts mentioned in article 1, paragraph 4, of Additional Protocol I of 1977, in which peoples are fighting against colonial domination and alien occupation and against racist régimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

Article 13. This Convention shall not apply where the offence is committed within a single State, the hostage and the alleged offender are nationals of that State and the alleged offender is found in the territory of that State.

Article 14. Nothing in this Convention shall be construed as justifying the violation of the territorial integrity or political independence of a State in contravention of the Charter of the United Nations.

Article 15. The provisions of this Convention shall not affect the application of the Treaties on Asylum, in force at the date of the adoption of this Convention, as between the States which are parties to those Treaties; but a State Party to this Convention may not invoke those Treaties with respect to another State Party to this Convention which is not a party to those treaties.

Article 16. 1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party which has made such a reservation.

[1] United Nations, *Treaty Series*, vol. 75, p. 31, 85, 135 and 287.
[2] *Ibid.*, vol. 1125, pp. 3 and 609.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 17. 1. This Convention is open for signature by all States until 31 December 1980 at United Nations Headquarters in New York.

2. This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. This Convention is open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 18. 1. This Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 19. 1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

Article 20. The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at New York on 18 December 1979.

International Convention Against the Taking of Hostages
New York, 17 December 1979

Entry into force : 3 June 1983, in accordance with article 18(2)which reads as follows: "1. This Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations. 2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratificaiton or accession."

Registration : 3 June 1983, No. 21931

Status : Signatories : 39. Parties : 168

Text : United Nations, *Treaty Series* , vol. 1316, p. 205; and depositary notifications C.N.209.1987.TREATIES-6 of 8 October 1987 and C.N.324.1987.TREATIES-9 of 1 February 1988 (procès-verbal of rectification of the original Russian text).

Note : The Convention was adopted by resolution 34/146[1] of the General Assembly of the United Nations dated 17 December 1979. It was opened for signature from 18 December 1979 to 31 December 1980.

Participant	Signature	Ratification, Accession(a), Succession(d)
Afghanistan		24 Sep 2003 a
Albania		22 Jan 2002 a
Algeria		18 Dec 1996 a
Andorra		23 Sep 2004 a
Antigua and Barbuda		6 Aug 1986 a
Argentina		18 Sep 1991 a
Armenia		16 Mar 2004 a
Australia		21 May 1990 a
Austria	3 Oct 1980	22 Aug 1986
Azerbaijan		29 Feb 2000 a
Bahamas		4 Jun 1981 a
Bahrain		16 Sep 2005 a
Bangladesh		20 May 2005 a
Barbados		9 Mar 1981 a
Belarus		1 Jul 1987 a
Belgium	3 Jan 1980	16 Apr 1999
Belize		14 Nov 2001 a
Benin		31 Jul 2003 a
Bhutan		31 Aug 1981 a
Bolivia	25 Mar 1980	7 Jan 2002

Bosnia and Herzegovina [2]		1 Sep 1993 d
Botswana		8 Sep 2000 a
Brazil		8 Mar 2000 a
Brunei Darussalam		18 Oct 1988 a
Bulgaria		10 Mar 1988 a
Burkina Faso		1 Oct 2003 a
Cambodia		27 Jul 2006 a
Cameroon		9 Mar 1988 a
Canada	18 Feb 1980	4 Dec 1985
Cape Verde		10 Sep 2002 a
Central African Republic		9 Jul 2007 a
Chad		1 Nov 2006 a
Chile	3 Jan 1980	12 Nov 1981
China [3, 4]		26 Jan 1993 a
Colombia		14 Apr 2005 a
Comoros		25 Sep 2003 a
Costa Rica		24 Jan 2003 a
Côte d'Ivoire		22 Aug 1989 a
Croatia [2]		23 Sep 2003 d
Cuba		15 Nov 2001 a
Cyprus		13 Sep 1991 a
Czech Republic [5]		22 Feb 1993 d
Democratic People's Republic of Korea		12 Nov 2001 a
Democratic Republic of the Congo	2 Jul 1980	
Denmark		11 Aug 1987 a
Djibouti		1 Jun 2004 a
Dominica		9 Sep 1986 a
Dominican Republic	12 Aug 1980	3 Oct 2007
Ecuador		2 May 1988 a
Egypt	18 Dec 1980	2 Oct 1981
El Salvador	10 Jun 1980	12 Feb 1981
Equatorial Guinea		7 Feb 2003 a
Estonia		8 Mar 2002 a
Ethiopia		16 Apr 2003 a
Fiji		15 May 2008 a
Finland	29 Oct 1980	14 Apr 1983
France		9 Jun 2000 a
Gabon	29 Feb 1980	19 Apr 2005
Georgia		18 Feb 2004 a

Germany [6, 7]	18 Dec 1979	15 Dec 1980
Ghana		10 Nov 1987 a
Greece	18 Mar 1980	18 Jun 1987
Grenada		10 Dec 1990 a
Guatemala	30 Apr 1980	11 Mar 1983
Guinea		22 Dec 2004 a
Guinea-Bissau		6 Aug 2008 a
Guyana		12 Sep 2007 a
Haiti	21 Apr 1980	17 May 1989
Honduras	11 Jun 1980	1 Jun 1981
Hungary		2 Sep 1987 a
Iceland		6 Jul 1981 a
India		7 Sep 1994 a
Iran (Islamic Republic of)		20 Nov 2006 a
Iraq	14 Oct 1980	
Ireland		30 Jun 2005 a
Israel	19 Nov 1980	
Italy	18 Apr 1980	20 Mar 1986
Jamaica	27 Feb 1980	9 Aug 2005
Japan	22 Dec 1980	8 Jun 1987
Jordan		19 Feb 1986 a
Kazakhstan		21 Feb 1996 a
Kenya		8 Dec 1981 a
Kiribati		15 Sep 2005 a
Kuwait		6 Feb 1989 a
Kyrgyzstan		2 Oct 2003 a
Lao People's Democratic Republic		22 Aug 2002 a
Latvia		14 Nov 2002 a
Lebanon		4 Dec 1997 a
Lesotho	17 Apr 1980	5 Nov 1980
Liberia	30 Jan 1980	5 Mar 2003
Libyan Arab Jamahiriya		25 Sep 2000 a
Liechtenstein		28 Nov 1994 a
Lithuania		2 Feb 2001 a
Luxembourg	18 Dec 1979	29 Apr 1991
Madagascar		24 Sep 2003 a
Malawi		17 Mar 1986 a
Malaysia		29 May 2007 a
Mali		8 Feb 1990 a

Malta		11 Nov 2001 a
Marshall Islands		27 Jan 2003 a
Mauritania		13 Mar 1998 a
Mauritius	18 Jun 1980	17 Oct 1980
Mexico		28 Apr 1987 a
Micronesia (Federated States of)		6 Jul 2004 a
Monaco		16 Oct 2001 a
Mongolia		9 Jun 1992 a
Montenegro [8]		23 Oct 2006 d
Morocco		9 May 2007 a
Mozambique		14 Jan 2003 a
Myanmar		4 Jun 2004 a
Nauru		2 Aug 2005 a
Nepal		9 Mar 1990 a
Netherlands [9]	18 Dec 1980	6 Dec 1988
New Zealand [10]	24 Dec 1980	12 Nov 1985
Nicaragua		24 Sep 2003 a
Niger		26 Oct 2004 a
Niue		22 Jun 2009 a
Norway	18 Dec 1980	2 Jul 1981
Oman		22 Jul 1988 a
Pakistan		8 Sep 2000 a
Palau		14 Nov 2001 a
Panama	24 Jan 1980	19 Aug 1982
Papua New Guinea		30 Sep 2003 a
Paraguay		22 Sep 2004 a
Peru		6 Jul 2001 a
Philippines	2 May 1980	14 Oct 1980
Poland		25 May 2000 a
Portugal [4]	16 Jun 1980	6 Jul 1984
Republic of Korea		4 May 1983 a
Republic of Moldova		10 Oct 2002 a
Romania		17 May 1990 a
Russian Federation		11 Jun 1987 a
Rwanda		13 May 2002 a
Sao Tome and Principe		23 Aug 2006 a
Saudi Arabia		8 Jan 1991 a
Senegal	2 Jun 1980	10 Mar 1987
Serbia [2]		12 Mar 2001 d

Seychelles		12 Nov 2003 a
Sierra Leone		26 Sep 2003 a
Singapore		22 Oct 2010 a
Slovakia [5]		28 May 1993 d
Slovenia [2]		6 Jul 1992 d
South Africa		23 Sep 2003 a
Spain		26 Mar 1984 a
Sri Lanka		8 Sep 2000 a
St. Kitts and Nevis		17 Jan 1991 a
St. Vincent and the Grenadines		12 Sep 2000 a
Sudan		19 Jun 1990 a
Suriname	30 Jul 1980	5 Nov 1981
Swaziland		4 Apr 2003 a
Sweden	25 Feb 1980	15 Jan 1981
Switzerland	18 Jul 1980	5 Mar 1985
Tajikistan		6 May 2002 a
Thailand		2 Oct 2007 a
The former Yugoslav Republic of Macedonia [2]		12 Mar 1998 d
Togo	8 Jul 1980	25 Jul 1986
Tonga		9 Dec 2002 a
Trinidad and Tobago		1 Apr 1981 a
Tunisia		18 Jun 1997 a
Turkey		15 Aug 1989 a
Turkmenistan		25 Jun 1999 a
Uganda	10 Nov 1980	5 Nov 2003
Ukraine		19 Jun 1987 a
United Arab Emirates		24 Sep 2003 a
United Kingdom of Great Britain and Northern Ireland [3, 11]	18 Dec 1979	22 Dec 1982
United Republic of Tanzania		22 Jan 2003 a
United States of America	21 Dec 1979	7 Dec 1984
Uruguay		4 Mar 2003 a
Uzbekistan		19 Jan 1998 a
Venezuela (Bolivarian Republic of)		13 Dec 1988 a
Yemen		14 Jul 2000 a

اتفاقيـــة ١٩٩١ لتمييـــز المتفجـــرات البلاستيكيـــة بغـــرض كشفهـــا

(تنص على التمييز الكيميائى لتيسير كشف المتفجرات البلاستيكية لمكافحة تخريب الطائرات)

أبرمت فى مونتريال في أول مارس ١٩٩١

وصدقت عليها مصـــر فى ١٩ يوليو ١٩٩٣

CONVENTION

on the Marking of Plastic Explosives
for the Purpose of Detection

THE STATES PARTIES TO THIS CONVENTION,

CONSCIOUS of the implications of acts of terrorism for international security;

EXPRESSING deep concern regarding terrorist acts aimed at destruction of aircraft, other means of transportation and other targets;

CONCERNED that plastic explosives have been used for such terrorist acts;

CONSIDERING that the marking of such explosives for the purpose of detection would contribute significantly to the prevention of such unlawful acts;

RECOGNIZING that for the purpose of deterring such unlawful acts there is an urgent need for an international instrument obliging States to adopt appropriate measures to ensure that plastic explosives are duly marked;

CONSIDERING United Nations Security Council Resolution 635 of 14 June 1989, and United Nations General Assembly Resolution 44/29 of 4 December 1989 urging the International Civil Aviation Organization to intensify its work on devising an international regime for the marking of plastic or sheet explosives for the purpose of detection;

BEARING IN MIND Resolution A27-8 adopted unanimously by the 27th Session of the Assembly of the International Civil Aviation Organization which endorsed with the highest and overriding priority the preparation of a new international instrument regarding the marking of plastic or sheet explosives for detection;

NOTING with satisfaction the role played by the Council of the International Civil Aviation Organization in the preparation of the Convention as well as its willingness to assume functions related to its implementation;

HAVE AGREED AS FOLLOWS:

Article I

For the purposes of this Convention:

1. "Explosives" mean explosive products, commonly known as "plastic explosives", including explosives in flexible or elastic sheet form, as described in the Technical Annex to this Convention.

2. "Detection agent" means a substance as described in the Technical Annex to this Convention which is introduced into an explosive to render it detectable.

3. "Marking" means introducing into an explosive a detection agent in accordance with the Technical Annex to this Convention.

4. "Manufacture" means any process, including reprocessing, that produces explosives.

5. "Duly authorized military devices" include, but are not restricted to, shells, bombs, projectiles, mines, missiles, rockets, shaped charges, grenades and perforators manufactured exclusively for military or police purposes according to the laws and regulations of the State Party concerned.

6. "Producer State" means any State in whose territory explosives are manufactured.

Article II

Each State Party shall take the necessary and effective measures to prohibit and prevent the manufacture in its territory of unmarked explosives.

Article III

1. Each State Party shall take the necessary and effective measures to prohibit and prevent the movement into or out of its territory of unmarked explosives.

2. The preceding paragraph shall not apply in respect of movements for purposes not inconsistent with the objectives of this Convention, by authorities of a State Party performing military or police functions, of unmarked explosives under the control of that State Party in accordance with paragraph 1 of Article IV.

Article IV

1. Each State Party shall take the necessary measures to exercise strict and effective control over the possession and transfer of possession of unmarked explosives which have been manufactured in or brought into its territory prior to the entry into force of this Convention in respect of that State, so as to prevent their diversion or use for purposes inconsistent with the objectives of this Convention.

2. Each State Party shall take the necessary measures to ensure that all stocks of those explosives referred to in paragraph 1 of this Article not held by its authorities performing military or police functions are destroyed or consumed for purposes not inconsistent with the objectives of this Convention, marked or rendered permanently ineffective, within a period of three years from the entry into force of this Convention in respect of that State.

3. Each State Party shall take the necessary measures to ensure that all stocks of those explosives referred to in paragraph 1 of this Article held by its authorities performing military or police functions and that are not incorporated as an integral part of duly authorized military devices are destroyed or consumed for purposes not inconsistent with the objectives of this Convention, marked or rendered permanently ineffective, within a period of fifteen years from the entry into force of this Convention in respect of that State.

4. Each State Party shall take the necessary measures to ensure the destruction, as soon as possible, in its territory of unmarked explosives which may be discovered therein and which are not referred to in the preceding paragraphs of this Article, other than stocks of unmarked

explosives held by its authorities performing military or police functions and incorporated as an integral part of duly authorized military devices at the date of the entry into force of this Convention in respect of that State.

5. Each State Party shall take the necessary measures to exercise strict and effective control over the possession and transfer of possession of the explosives referred to in paragraph II of Part 1 of the Technical Annex to this Convention so as to prevent their diversion or use for purposes inconsistent with the objectives of this Convention.

6. Each State Party shall take the necessary measures to ensure the destruction, as soon as possible, in its territory of unmarked explosives manufactured since the coming into force of this Convention in respect of that State that are not incorporated as specified in paragraph II d) of Part 1 of the Technical Annex to this Convention and of unmarked explosives which no longer fall within the scope of any other sub-paragraphs of the said paragraph II.

Article V

1. There is established by this Convention an International Explosives Technical Commission (hereinafter referred to as "the Commission") consisting of not less than fifteen nor more than nineteen members appointed by the Council of the International Civil Aviation Organization (hereinafter referred to as "the Council") from among persons nominated by States Parties to this Convention.

2. The members of the Commission shall be experts having direct and substantial experience in matters relating to the manufacture or detection of, or research in, explosives.

3. Members of the Commission shall serve for a period of three years and shall be eligible for re-appointment.

4. Sessions of the Commission shall be convened, at least once a year at the Headquarters of the International Civil Aviation Organization, or at such places and times as may be directed or approved by the Council.

5. The Commission shall adopt its rules of procedure, subject to the approval of the Council.

Article VI

1. The Commission shall evaluate technical developments relating to the manufacture, marking and detection of explosives.

2. The Commission, through the Council, shall report its findings to the States Parties and international organizations concerned.

3. Whenever necessary, the Commission shall make recommendations to the Council for amendments to the Technical Annex to this Convention. The Commission shall endeavour to take its decisions on such recommendations by consensus. In the absence of consensus the Commission shall take such decisions by a two-thirds majority vote of its members.

4. The Council may, on the recommendation of the Commission, propose to States Parties amendments to the Technical Annex to this Convention.

Article VII

1. Any State Party may, within ninety days from the date of notification of a proposed amendment to the Technical Annex to this Convention, transmit to the Council its comments. The Council shall communicate these comments to the Commission as soon as possible for its consideration. The Council shall invite any State Party which comments on or objects to the proposed amendment to consult the Commission.

2. The Commission shall consider the views of States Parties made pursuant to the preceding paragraph and report to the Council. The Council, after consideration of the Commission's report, and taking into account the nature of the amendment and the comments of States Parties, including producer States, may propose the amendment to all States Parties for adoption.

3. If a proposed amendment has not been objected to by five or more States Parties by means of written notification to the Council within ninety days from the date of notification of the amendment by the Council, it shall be deemed to have been adopted, and shall enter into force one hundred and eighty days thereafter or after such other period as specified in the proposed amendment for States Parties not having expressly objected thereto.

4. States Parties having expressly objected to the proposed amendment may, subsequently, by means of the deposit of an instrument of acceptance or approval, express their consent to be bound by the provisions of the amendment.

5. If five or more States Parties have objected to the proposed amendment, the Council shall refer it to the Commission for further consideration.

6. If the proposed amendment has not been adopted in accordance with paragraph 3 of this Article, the Council may also convene a conference of all States Parties.

Article VIII

1. States Parties shall, if possible, transmit to the Council information that would assist the Commission in the discharge of its functions under paragraph 1 of Article VI.

2. States Parties shall keep the Council informed of measures they have taken to implement the provisions of this Convention. The Council shall communicate such information to all States Parties and international organizations concerned.

Article IX

The Council shall, in co-operation with States Parties and international organizations concerned, take appropriate measures to facilitate the implementation of this Convention, including the provision of technical assistance and measures for the exchange of information relating to technical developments in the marking and detection of explosives.

Article X

The Technical Annex to this Convention shall form an integral part of this Convention.

Article XI

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may, at the time of signature, ratification, acceptance or approval of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other States Parties shall not be bound by the preceding paragraph with respect to any State Party having made such a reservation.

3. Any State Party having made a reservation in accordance with the preceding paragraph may at any time withdraw this reservation by notification to the Depositary.

Article XII

Except as provided in Article XI no reservation may be made to this Convention.

Article XIII

1. This Convention shall be open for signature in Montreal on 1 March 1991 by States participating in the International Conference on Air Law held at Montreal from 12 February to 1 March 1991. After 1 March 1991 the Convention shall be open to all States for signature at the Headquarters of the International Civil Aviation Organization in Montreal until it enters into force in accordance with paragraph 3 of this Article. Any State which does not sign this Convention may accede to it at any time.

2. This Convention shall be subject to ratification, acceptance, approval or accession by States. Instruments of ratification, acceptance, approval or accession shall be deposited with the International Civil Aviation Organization, which is hereby designated the Depositary. When depositing its instrument of ratification, acceptance, approval or accession, each State shall declare whether or not it is a producer State.

3. This Convention shall enter into force on the sixtieth day following the date of deposit of the thirty-fifth instrument of ratification, acceptance, approval or accession with the Depositary, provided that no fewer than five such States have declared pursuant to paragraph 2 of this Article that they are producer States. Should thirty-five such instruments be deposited prior to the deposit of their instruments by five producer States, this Convention shall enter into force on the sixtieth day following the date of deposit of the instrument of ratification, acceptance, approval or accession of the fifth producer State.

4. For other States, this Convention shall enter into force sixty days following the date of deposit of their instruments of ratification, acceptance, approval or accession.

5. As soon as this Convention comes into force, it shall be registered by the Depositary pursuant to Article 102 of the Charter of the United Nations and pursuant to Article 83 of the Convention on International Civil Aviation (Chicago, 1944).

Article XIV

The Depositary shall promptly notify all signatories and States Parties of:

1. each signature of this Convention and date thereof;

2. each deposit of an instrument of ratification, acceptance, approval or accession and date thereof, giving special reference to whether the State has identified itself as a producer State;

3. the date of entry into force of this Convention;

4. the date of entry into force of any amendment to this Convention or its Technical Annex;

5. any denunciation made under Article XV; and

6. any declaration made under paragraph 2 of Article XI.

Article XV

1. Any State Party may denounce this Convention by written notification to the Depositary.

2. Denunciation shall take effect one hundred and eighty days following the date on which notification is received by the Depositary.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their Governments, have signed this Convention.

DONE at Montreal, this first day of March, one thousand nine hundred and ninety-one, in one original, drawn up in five authentic texts in the English, French, Russian, Spanish and Arabic languages.

Country	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 Mar 1991
Afghanistan	1 Oct 2003 (R)
Albania	20 Oct 2004 (a)
Algeria	14 Nov 1996 (a)
Andorra	17 May 2006 (a)
Angola	
Antigua and Barbuda	
Argentina	8 Mar 1999 (R)
Armenia	22 Jul 2005 (a)
Australia	26 Jun 2007 (a)
Austria	31 May 1999 (R)
Azerbaijan	4 Jul 2000 (a)
Bahamas	21 May 2008 (a)
Bahrain	30 Jan 1996 (a)
Bangladesh	16 Aug 2005 (a)
Barbados	12 Sep 2002 (a)
Belarus	6 Feb 2002 (AA)
Belgium	16 Apr 2007 (R)
Belize	1 Mar 1991(S)
Benin	30 Mar 2004 (a)
Bhutan	26 Aug 2005 (a)
Bolivia	1 Feb 2002 (R)
Bosnia and Herzegovina	03 May 2004 (a)
Botswana	19 Sep 2000 (a)
Brazil	4 Oct 2001 (R)
Brunei Darussalam	9 Jul 2009 (a)
Bulgaria	8 Sep 1999 (R)

Country	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 Mar 1991
Burkina Faso	07 Jul 2004 (a)
Burundi	
Cambodia	
Cameroon	3 Jun 1998 (a)
Canada	29 Nov 1996 (R)
Cape Verde	4 Nov 2002 (a)
Central African Republic	
Chad	
Chile	2 Aug 2000 (R)
China	
Colombia	13 Dec 1991 (S)
Comoros	
Congo	
Cook Islands	
Costa Rica	12 Jul 205 (R)
Cote D'Ivoire	01 Mar 1991 (S)
Croatia	24 Feb 2005 (a)
Cuba	30 Nov 2001 (a)
Cyprus	20 Sep 2002 (a)
Czech Republic	25 Mar 1993 (Succ)
Democratic People's Republic of Korea (North Korea)	-
Democratic Republic of the Congo	
Denmark	5 Oct 1998 (R)
Djibouti	1 Jun 2004 (a)
Dominica	
Dominican Republic	
Ecuador	15 Dec 1995 (R)
Egypt	19 Jul 1993 (R)
El Salvador	18 Feb 2000 (a)
Equatorial Guinea	
Eritrea	1 Dec 1994 (a)
Estonia	5 Mar 1996 (a)
Ethiopia	

Country	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 Mar 1991
Fiji	11 Jul 2008 (a)
Finland	5 Dec 2001(A)
France	21 May 1997 (R)
Gabon	1 Mar 1991(S)
Gambia	20 Jun 2000 (a)
Georgia	25 Apr 2000 (a)
Germany	17 Dec 1998 (R)
Ghana	22 Apr 1998 (R)
Greece	30 Oct 1995 (R)
Grenada	15 Jan 2002 (a)
Guatemala	26 Nov 1997 (a)
Guinea	23 Jan 2004 (R)
Guinea-Bissau	1 Mar 1991(S)
Guyana	13 Dec 2007 (a)
Haiti	
Honduras	18 Feb 2004 (R)
Hungary	11 Jan 1994 (R)
Iceland	24 May 2002 (a)
India	16 Nov 1999 (a)
Indonesia	
Iran	
Iraq	
Ireland	15 Jul 2003 (a)
Israel	1 Mar 1991(S)
Italy	26 Sep 2002 (a)
Jamaica	18 Aug 2005(a)
Japan	26 Sep 1997 (a)
Jordan	23 May 1996 (R)
Kazakhstan	18 May 1995 (a)
Kenya	22 Oct 2002(a)
Kiribati	
Kuwait	18 Mar 1996 (R)
Kyrgyzstan	14 Jul 2000 (a)
Lao, People's Democratic Republic	
Latvia	17 Aug 1999 (a)
Lebanon	26 Nov 1997 (R)

Country	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 Mar 1991
Lesotho	10 Nov 2009 (a)
Liberia	
Libyan Arab Jamahiriya	10 Oct 2002 (a)
Liechtenstein	4 Dec 2002 (a)
Lithuania	21 Nov 1996 (a)
Luxemburg	6 Nov 2006 (a)
Madagascar	23 Dec 2003 (R)
Malawi	
Malaysia	27 Nov 2007 (a)
Maldives	22 Mar 1999 (a)
Mali	28 Sep 2000 (R)
Malta	15 Nov 1994 (a)
Marshall Islands	6 Feb 2003 (a)
Mauritania	
Mauritius	1 Mar 1991 (S)
Mexico	9 Apr 1992 (R)
Micronesia (Federated States of)	
Monaco	14 May 1998 (a)
Mongolia	22 Sep 1999 (a)
Montenegro	
Morocco	26 May 1999 (a)
Mozambique	15 Mar 2006 (a)
Myanmar	01 Sep 2004 (a)
Namibia	
Nauru	8 Apr 2006 (a)
Nepal	
Netherlands	4 May 1998 (A)
New Zealand	19 Dec 2003 (a)
Nicaragua	10 Jan 2006 (R)
Niger	6 Mar 2009 (a)
Nigeria	10 May 2002 (a)
Niue	1 Dec 2009 (a)
Norway	9 Jul 1992 (R)
Oman	13 Dec 2001 (a)
Pakistan	1 Mar 1991(S)

Country	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 Mar 1991
Palau	30 Nov 2001 (a)
Panama	12 Apr 1996 (a)
Papua New Guinea	
Paraguay	15 Oct 2004 (a)
Peru	7 Feb 1996 (R)
Philippines	17 Dec 2003 (a)
Poland	26 Sep 2006 (a)
Portugal	9 Oct 2002 (a)
Qatar	9 Nov 1998 (a)
Republic of Korea (South Korea)	2 Jan 2002 (R)
Republic of Moldova	15 Dec 1997 (a)
Romania	21 Sep 1998 (a)
Russian Federation	19 Sep 2007 (R)
Rwanda	
Saint Kitts and Nevis	9 May 2002 (a)
Saint Lucia	
Saint Vincent and the Grenadines	
Samoa	9 Jul 1998 (a)
San Marino	
Sao Tome and Principe	
Saudi Arabia	11 Jul 1996 (a)
Senegal	11 Feb 2004 (R)
Serbia	22 Jun 2006 (a)
Seychelles	14 Aug 2003 (a)
Sierra Leone	
Singapore	20 Jan 2003 (a)
Slovakia	20 Mar 1995 (Succ)
Slovenia	5 Jun 2000 (a)
Solomon Islands	
Somalia	
South Africa	15 Dec 1999 (a)
Spain	31 May 1994 (R)
Sri Lanka	11 Oct 2001 (a)
Sudan	25 May 2000 (a)

Country	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 Mar 1991
Suriname	27 Mar 2003 (a)
Swaziland	13 May 2003 (a)
Sweden	5 Apr 2007 (R)
Switzerland	3 Apr 1995 (R)
Syrian Arab Republic	29 Sep 2004 (a)
Tajikistan	18 Jul 2006 (a)
Thailand	25 Jan 2006 (a)
The Former Yugoslav Republic of Macedonia	21 Sep 1998 (a)
Timor-Leste	
Togo	22 Jul 2003 (R)
Tonga	10 Dec 2002 (a)
Trinidad and Tobago	3 Apr 2001 (R)
Tunisia	28 May 1997 (a)
Turkey	14 Dec 1994 (R)
Turkmenistan	14 Jan 2005 (a)
Tuvalu	
Uganda	2 Jul 2004 (a)
Ukraine	18 Mar 1999 (R)
United Arab Emirates	21 Dec 1992 (a)
United Kingdom of Great Britain and Northern Ireland	28 Apr 1997 (R)
United Republic of Tanzania	11 Feb 2003 (a)
United States of America	9 Apr 1997 (R)
Uruguay	14 Jun 2001 (a)
Uzbekistan	9 Jun 1999 (a)
Vanuatu	25 Jan 2006 (a)
Venezuela (Bolivarian Republic of)	
Viet Nam	
Yemen	4 Jul 2007 (a)
Yugoslavia, Former Republic of	
Zambia	31 May 1995 (a)

Country	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 Mar 1991
Zimbabwe	
Contracting parties	143
Signatories that have not ratified	8

Key:

Acc Date of Accession (becoming party to the agreement after it has already entered into force)

Accept Date of Acceptance (agreeing to be legally bound by the terms of the Treaty).

App Date of Approval (approved by government and awaiting ratification by the legislative process).

EIF Entered Into Force

R Date of Ratification (fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary).

S Date of Signature (competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification).

Succ Date of Succession (when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party).

الاتفاقية الدولية لعام ١٩٩٧
لقمع الهجمات الإرهابية بالقنابــل

إعتمدتها الجمعية العامة للأمم المتحدة فى ١٥ ديسمبر ١٩٩٧
وفتح باب التوقيع عليها فى نيويورك في ١٢ يناير ١٩٩٨

وصدقت عليها مصــر فى ٩ أغسطس ٢٠٠٥

International Convention for the Suppression of Terrorist Bombings

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of good-neighbourliness and friendly relations and cooperation among States,

Deeply concerned about the worldwide escalation of acts of terrorism in all its forms and manifestations,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations of 24 October 1995,

Recalling also the Declaration on Measures to Eliminate International Terrorism, annexed to General Assembly resolution 49/60 of 9 December 1994, in which, inter alia, "the States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States",

Noting that the Declaration also encouraged States "to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter",

Recalling further General Assembly resolution 51/210 of 17 December 1996 and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, annexed thereto,

Noting also that terrorist attacks by means of explosives or other lethal devices have become increasingly widespread,

Noting further that existing multilateral legal provisions do not adequately address these attacks,

Being convinced of the urgent need to enhance international cooperation between States in devising and adopting effective and practical measures for the prevention of such acts of terrorism, and for the prosecution and punishment of their perpetrators,

Considering that the occurrence of such acts is a matter of grave concern to the international community as a whole,

Noting that the activities of military forces of States are governed by rules of international law outside the framework of this Convention and that the exclusion of certain actions from the coverage of this Convention does not condone or make lawful otherwise unlawful acts, or preclude prosecution under other laws,

Have agreed as follows:

Article 1

For the purposes of this Convention:

1. "State or government facility" includes any permanent or temporary facility or conveyance that is used or occupied by representatives of a State, members of Government, the legislature or the judiciary or by officials or employees of a State or any other public authority or entity or by employees or officials of an intergovernmental organization in connection with their official duties.

2. "Infrastructure facility" means any publicly or privately owned facility providing or distributing services for the benefit of the public, such as water, sewage, energy, fuel or communications.

3. "Explosive or other lethal device" means:

(a) An explosive or incendiary weapon or device that is designed, or has the capability, to cause death, serious bodily injury or substantial material damage; or

(b) A weapon or device that is designed, or has the capability, to cause death, serious bodily injury or substantial material damage

through the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material.

4. "Military forces of a State" means the armed forces of a State which are organized, trained and equipped under its internal law for the primary purpose of national defence or security, and persons acting in support of those armed forces who are under their formal command, control and responsibility.

5. "Place of public use" means those parts of any building, land, street, waterway or other location that are accessible or open to members of the public, whether continuously, periodically or occasionally, and encompasses any commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational or similar place that is so accessible or open to the public.

6. "Public transportation system" means all facilities, conveyances and instrumentalities, whether publicly or privately owned, that are used in or for publicly available services for the transportation of persons or cargo.

Article 2

1. Any person commits an offence within the meaning of this Convention if that person unlawfully and intentionally delivers, places, discharges or detonates an explosive or other lethal device in, into or against a place of public use, a State or government facility, a public transportation system or an infrastructure facility:

(a) With the intent to cause death or serious bodily injury; or

(b) With the intent to cause extensive destruction of such a place, facility or system, where such destruction results in or is likely to result in major economic loss.

2. Any person also commits an offence if that person attempts to commit an offence as set forth in paragraph 1.

3. Any person also commits an offence if that person:

(a) Participates as an accomplice in an offence as set forth in paragraph 1 or 2; or

(b) Organizes or directs others to commit an offence as set forth in paragraph 1 or 2; or

(c) In any other way contributes to the commission of one or more offences as set forth in paragraph 1 or 2 by a group of persons acting with a common purpose; such contribution shall be intentional and either be made with the aim of furthering the general criminal activity or purpose of the group or be made in the knowledge of the intention of the group to commit the offence or offences concerned.

Article 3

This Convention shall not apply where the offence is committed within a single State, the alleged offender and the victims are nationals of that State, the alleged offender is found in the territory of that State and no other State has a basis under article 6, paragraph 1, or article 6, paragraph 2, of this Convention to exercise jurisdiction, except that the provisions of articles 10 to 15 shall, as appropriate, apply in those cases.

Article 4

Each State Party shall adopt such measures as may be necessary:

(a) To establish as criminal offences under its domestic law the offences set forth in article 2 of this Convention;

(b) To make those offences punishable by appropriate penalties which take into account the grave nature of those offences.

Article 5

Each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.

Article 6

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 when:

(a) The offence is committed in the territory of that State; or

(b) The offence is committed on board a vessel flying the flag of that State or an aircraft which is registered under the laws of that State at the time the offence is committed; or

(c) The offence is committed by a national of that State.

2. A State Party may also establish its jurisdiction over any such offence when:

(a) The offence is committed against a national of that State; or

(b) The offence is committed against a State or government facility of that State abroad, including an embassy or other diplomatic or consular premises of that State; or

(c) The offence is committed by a stateless person who has his or her habitual residence in the territory of that State; or

(d) The offence is committed in an attempt to compel that State to do or abstain from doing any act; or

(e) The offence is committed on board an aircraft which is operated by the Government of that State.

3. Upon ratifying, accepting, approving or acceding to this Convention, each State Party shall notify the Secretary-General of the United Nations of the jurisdiction it has established in accordance with paragraph 2 under its domestic law. Should any change take place, the State Party concerned shall immediately notify the Secretary-General.

4. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 in cases where the alleged offender is present in its territory and it does not extradite that person to any of the States Parties which have established their jurisdiction in accordance with paragraph 1 or 2.

5. This Convention does not exclude the exercise of any criminal jurisdiction established by a State Party in accordance with its domestic law.

Article 7

1. Upon receiving information that a person who has committed or who is alleged to have committed an offence as set forth in article 2 may be present in its territory, the State Party concerned shall take such measures as may be necessary under its domestic law to investigate the facts contained in the information.

2. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the offender or alleged offender is present shall take the appropriate measures under its domestic law so as to ensure that person's presence for the purpose of prosecution or extradition.

3. Any person regarding whom the measures referred to in paragraph 2 are being taken shall be entitled to:

(a) Communicate without delay with the nearest appropriate representative of the State of which that person is a national or which

is otherwise entitled to protect that person's rights or, if that person is a stateless person, the State in the territory of which that person habitually resides;

(b) Be visited by a representative of that State;

(c) Be informed of that person's rights under subparagraphs (a) and (b).

4. The rights referred to in paragraph 3 shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or alleged offender is present, subject to the provision that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5. The provisions of paragraphs 3 and 4 shall be without prejudice to the right of any State Party having a claim to jurisdiction in accordance with article 6, subparagraph 1 (c) or 2 (c), to invite the International Committee of the Red Cross to communicate with and visit the alleged offender.

6. When a State Party, pursuant to this article, has taken a person into custody, it shall immediately notify, directly or through the Secretary-General of the United Nations, the States Parties which have established jurisdiction in accordance with article 6, paragraphs 1 and 2, and, if it considers it advisable, any other interested States Parties, of the fact that such person is in custody and of the circumstances which warrant that person's detention. The State which makes the investigation contemplated in paragraph 1 shall promptly inform the said States Parties of its findings and shall indicate whether it intends to exercise jurisdiction.

Article 8

1. The State Party in the territory of which the alleged offender is present shall, in cases to which article 6 applies, if it does not extradite that person, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the

case without undue delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offence of a grave nature under the law of that State.

2. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State to serve the sentence imposed as a result of the trial or proceeding for which the extradition or surrender of the person was sought, and this State and the State seeking the extradition of the person agree with this option and other terms they may deem appropriate, such a conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 1.

Article 9

1. The offences set forth in article 2 shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the States Parties before the entry into force of this Convention. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be subsequently concluded between them.

2. When a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offences set forth in article 2. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 2 as extraditable offences between themselves, subject to the conditions provided by the law of the requested State.

4. If necessary, the offences set forth in article 2 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territory of the States that have established jurisdiction in accordance with article 6, paragraphs 1 and 2.

5. The provisions of all extradition treaties and arrangements between States Parties with regard to offences set forth in article 2 shall be deemed to be modified as between State Parties to the extent that they are incompatible with this Convention.

Article 10

1. States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 2, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.

Article 11

None of the offences set forth in article 2 shall be regarded, for the purposes of extradition or mutual legal assistance, as a political offence or as an offence connected with a political offence or as an offence inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such an offence may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence or an offence inspired by political motives.

Article 12

Nothing in this Convention shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance, if the requested State Party has substantial grounds for believing that the request for extradition for offences set forth in article 2 or for mutual legal assistance with respect to such offences has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion or that compliance with the request would cause prejudice to that person's position for any of these reasons.

Article 13

1. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of testimony, identification or otherwise providing assistance in obtaining evidence for the investigation or prosecution of offences under this Convention may be transferred if the following conditions are met:

(a) The person freely gives his or her informed consent; and

(b) The competent authorities of both States agree, subject to such conditions as those States may deem appropriate.

2. For the purposes of this article:

(a) The State to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State from which the person was transferred;

(b) The State to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States;

(c) The State to which the person is transferred shall not require the State from which the person was transferred to initiate extradition proceedings for the return of the person;

(d) The person transferred shall receive credit for service of the sentence being served in the State from which he was transferred for time spent in the custody of the State to which he was transferred.

3. Unless the State Party from which a person is to be transferred in accordance with this article so agrees, that person, whatever his or her nationality, shall not be prosecuted or detained or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts or convictions anterior to his or her departure from the territory of the State from which such person was transferred.

Article 14

Any person who is taken into custody or regarding whom any other measures are taken or proceedings are carried out pursuant to this Convention shall be guaranteed fair treatment, including enjoyment of all rights and guarantees in conformity with the law of the State in the territory of which that person is present and applicable provisions of international law, including international law of human rights.

Article 15

States Parties shall cooperate in the prevention of the offences set forth in article 2, particularly:

(a) By taking all practicable measures, including, if necessary, adapting their domestic legislation, to prevent and counter preparations in their respective territories for the commission of those offences within or outside their territories, including measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize, knowingly finance or engage in the perpetration of offences as set forth in article 2;

(b) By exchanging accurate and verified information in accordance with their national law, and coordinating administrative and other measures taken as appropriate to prevent the commission of offences as set forth in article 2;

(c) Where appropriate, through research and development regarding methods of detection of explosives and other harmful substances that can cause death or bodily injury, consultations on the development of standards for marking explosives in order to identify their origin in post-blast investigations, exchange of information on preventive measures, cooperation and transfer of technology, equipment and related materials.

Article 16

The State Party where the alleged offender is prosecuted shall, in accordance with its domestic law or applicable procedures, communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

Article 17

The States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.

Article 18

Nothing in this Convention entitles a State Party to undertake in the territory of another State Party the exercise of jurisdiction and performance of functions which are exclusively reserved for the authorities of that other State Party by its domestic law.

Article 19

1. Nothing in this Convention shall affect other rights, obligations and responsibilities of States and individuals under international law, in particular the purposes and principles of the Charter of the United Nations and international humanitarian law.

2. The activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law, are not governed by this Convention, and the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention.

Article 20

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice, by application, in conformity with the Statute of the Court.

2. Each State may at the time of signature, ratification, acceptance or approval of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1. The other States Parties shall not be bound by paragraph 1 with respect to any State Party which has made such a reservation.

3. Any State which has made a reservation in accordance with paragraph 2 may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 21

1. This Convention shall be open for signature by all States from 12 January 1998 until 31 December 1999 at United Nations Headquarters in New York.

2. This Convention is subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall be open to accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 22

1. This Convention shall enter into force on the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to the Convention after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification, acceptance, approval or accession.

Article 23

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

Article 24

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at New York on 12 January 1998.

UN CONVENTIONS ON TERRORISM

Country	International Convention for the Suppression of Terrorist Bombings adopted by the General Assembly of the United Nations on 15 Dec 1997.
Afghanistan	24 Sep 2003 (a)
Albania	22 Jan 2002(a)
Algeria	8 Nov 2001(R)
Andorra	23 Sep 2004 (a)
Angola	
Antigua and Barbuda	24 Sep 2009 (a)
Argentina	25 Sep 2003 (R)
Armenia	16 Mar 2004 (a)
Australia	9 Aug 2002 (a)
Austria	6 Sep 2000 (R)
Azerbaijan	2 Apr 2001 (a)
Bahamas	5 May 2008 (a)
Bahrain	21 Sep 2004 (a)
Bangladesh	20 May 2005 (a)
Barbados	18 Sep 2002 (a)
Belarus	1 Oct 2001(R)
Belgium	20 May 2005 (a)
Belize	14 Nov 2001 (a)
Benin	31 Jul 2003 (a)
Bhutan	
Bolivia	22 Jan 2002 (a)
Bosnia and Herzegovina	11 Aug 2003 (a)
Botswana	8 Sep 2000(a)
Brazil	23 Aug 2002 (R)
Brunei Darussalam	14 Mar 2002 (a)
Bulgaria	12 Feb 2002 (a)

Country	International Convention for the Suppression of Terrorist Bombings adopted by the General Assembly of the United Nations on 15 Dec 1997.
Burkina Faso	01 Oct 2003 (a)
Burundi	4 Mar 1998 (S)
Cambodia	31 Jul 2006 (a)
Cameroon	21 Mar 2005 (a)
Canada	3 Apr 2002 (R)
Cape Verde	10 May 2002 (a)
Central African Republic	19 Feb 2008 (a)
Chad	
Chile	10 Nov 2001 (a)
China	13 Nov 2001 (a)
Colombia	14 Sep 2004 (a)
Comoros	25 Sep 2003 (R)
Congo	
Cook Islands	
Costa Rica	20 Sep 2001(R)
Cote D'Ivoire	13 Mar 2002 (R)
Croatia	02 Jun 2005 (a)
Cuba	15 Nov 2001 (a)
Cyprus	24 Jan 2001(R)
Czech Republic	6 Sep 2000 (R)
Democratic People's Republic of Korea (North Korea)	
Democratic Republic of the Congo	27 Jun 2008 (a)
Denmark	31 Aug 2001(R)
Djibouti	01 Jun 2004 (a)
Dominica	24 Sep 2004 (a)
Dominican Republic	21 Oct 2008 (a)
Ecuador	
Egypt	9 Aug 2005 (R)
El Salvador	15 May 2003 (a)
Equatorial Guinea	7 Feb 2003 (a)
Eritrea	
Estonia	10 Apr 2002 (R)
Ethiopia	16 Apr 2003 (a)

Country	International Convention for the Suppression of Terrorist Bombings adopted by the General Assembly of the United Nations on 15 Dec 1997.
Fiji	15 May 2008 (a)
Finland	28 May 2002 (A)
France	19 Aug 1999 (R)
Gabon	10 Mar 2005 (a)
Gambia	
Georgia	18 Feb 2004 (a)
Germany	23 Apr 2003 (R)
Ghana	6 Sep 2002 (a)
Greece	27 May 2003 (R)
Grenada	13 Dec 2001(a)
Guatemala	12 Feb 2001 (a)
Guinea	7 Sep 2000 (a)
Guinea-Bissau	6 Aug 2008 (a)
Guyana	12 Sep 2007 (a)
Haiti	
Honduras	25 Mar 2003 (a)
Hungary	13 Nov 2001(R)
Iceland	15 Apr 2002 (R)
India	22 Sep 1999(R)
Indonesia	29 Jun 2006 (a)
Iran	
Iraq	
Ireland	30 Jun 2005 (R)
Israel	10 Feb 2003 (R)
Italy	16 Apr 2003 (R)
Jamaica	09 Aug 2005 (a)
Japan	16 Nov 2001(A)
Jordan	
Kazakhstan	6 Nov 2002 (a)
Kenya	16 Nov 2001(a)
Kiribati	15 Sep 2005 (a)
Kuwait	19 Apr 2004 (a)
Kyrgyzstan	1 May 2001(a)
Lao, People's Democratic Republic	22 Aug 2002 (a)
Latvia	25 Nov 2002 (a)
Lebanon	

Country	International Convention for the Suppression of Terrorist Bombings adopted by the General Assembly of the United Nations on 15 Dec 1997.
Lesotho	12 Nov 2001 (a)
Liberia	5 Mar 2003 (a)
Libyan Arab Jamahiriya	22 Sep 2000 (a)
Liechtenstein	26 Nov 2002 (a)
Lithuania	17 Mar 2004 (R)
Luxemburg	06 Feb 2004 (R)
Madagascar	24 Sep 2003 (R)
Malawi	11 Aug 2003 (a)
Malaysia	24 Sep 2003 (a)
Maldives	7 Sep 2000 (a)
Mali	28 Mar 2002 (a)
Malta	11 Nov 2001(R)
Marshall Islands	27 Jan 2003 (a)
Mauritania	30 Apr 2003 (a)
Mauritius	24 Jan 2003 (a)
Mexico	20 Jan 2003 (a)
Micronesia, Federal States of	23 Sep 2002 (a)
Monaco	6 Sep 2001(R)
Mongolia	7 Sep 2000 (a)
Montenegro	23 Oct 2006 (Succ)
Morocco	9 May 2007 (a)
Mozambique	14 Jan 2003 (a)
Myanmar	12 Nov 2001(a)
Namibia	
Nauru	02 Aug 2005 (a)
Nepal	24 Sep 1999 (S)
Netherlands	7 Feb 2002 (A)
New Zealand	4 Nov 2002 (a)
Nicaragua	17 Jan 2003(a)
Niger	26 Oct 2004 (a)
Nigeria	
Niue	22 Jun 2009 (a)
Norway	20 Sep 1999 (R)
Oman	
Pakistan	13 Aug 2002 (a)

Country	International Convention for the Suppression of Terrorist Bombings adopted by the General Assembly of the United Nations on 15 Dec 1997.
Palau	14 Nov 2001 (a)
Panama	5 Mar 1999 (R)
Papua New Guinea	30 Sep 2003 (a)
Paraguay	22 Sep 2004 (a)
Peru	10 Nov 2001 (a)
Philippines	07 Jan 2004 (R)
Poland	03 Feb 2004 (R)
Portugal	10 Nov 2001 (R)
Qatar	27 Jun 2008 (a)
Republic of Korea (South Korea)	17 Feb 2004 (R)
Republic of Moldova	10 Oct 2002 (a)
Romania	29 Jul 2004 (R)
Russian Federation	8 May 2001 (R)
Rwanda	13 May 2002 (a)
Saint Kitts and Nevis	16 Nov 2001 (a)
Saint Lucia	
Saint Vincent and the Grenadines	15 Sep 2005 (a)
Samoa	
San Marino	12 Mar 2002 (a)
Sao Tome and Principe	12 Apr 2006 (a)
Saudi Arabia	31 Oct 2007 (a)
Senegal	27 Oct 2003 (a)
Serbia	31 Jul 2003 (a)
Seychelles	22 Aug 2003 (a)
Sierra Leone	26 Sep 2003 (a)
Singapore	31 Dec 2007 (a)
Slovakia	8 Dec 2000 (R)
Slovenia	25 Sep 2003 (R)
Solomon Islands	24 Sep 2009 (a)
Somalia	
South Africa	01 May 2003 (R)
Spain	30 Apr 1999(R)
Sri Lanka	23 Mar 1999(R)
Sudan	8 Sep 2000(R)

Country	International Convention for the Suppression of Terrorist Bombings adopted by the General Assembly of the United Nations on 15 Dec 1997.
Suriname	
Swaziland	04 Apr 2003 (a)
Sweden	6 Sep 2001 (R)
Switzerland	23 Sep 2003 (a)
Syrian Arab Republic	
Tajikistan	29 Jul 2002 (a)
Thailand	12 Jun 2007 (a)
The Former Yugoslav Republic of Macedonia	30 Aug 2004 (R)
Timor-Leste	
Togo	10 Mar 2003 (R)
Tonga	9 Dec 2002 (a)
Trinidad and Tobago	2 Apr 2001 (a)
Tunisia	22 Apr 2005 (a)
Turkey	30 May 2002 (R)
Turkmenistan	25 Jun 1999 (R)
Tuvalu	
Uganda	05 Nov 2003 (R)
Ukraine	26 Mar 2002 (a)
United Arab Emirates	23 Sep 2005 (a)
United Kingdom of Great Britain and Northern Ireland	7 Mar 2001(R)
United Republic of Tanzania	22 Jan 2003 (a)
United States of America	26 Jun 2002 (R)
Uruguay	10 Nov 2001 (R)
Uzbekistan	30 Nov 1998 (R)
Vanuatu	
Venezuela (Bolivarian Republic of)	23 Sep 2003 (R)
Viet Nam	
Yemen	23 Apr 2001 (a)
Yugoslavia, Former Republic of	
Zambia	

Country	International Convention for the Suppression of Terrorist Bombings adopted by the General Assembly of the United Nations on 15 Dec 1997.
Zimbabwe	
Contracting parties	164
Signatories that have not ratified	2

Key:

Acc	Date of Accession (becoming party to the agreement after it has already entered into force).
Accept	Date of Acceptance (agreeing to be legally bound by the terms of the Treaty).
App	Date of Approval (approved by government and awaiting ratification by the legislative process).
EIF	Entered Into Force
R	Date of Ratification (fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable. such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary).
S	Date of Signature (competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification).
Succ	Date of Succession (when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party).

الاتفاقية الدوليــة لعام ١٩٩٩
لقمــع تمويــل الإرهـــاب

اعتمدتها الجمعية العامة للأمم المتحدة فى ٩ ديسمبر ١٩٩٩
وفتحت للتوقيع فى نيويورك فى ١٠ يناير ٢٠٠٠

صدقت عليها مصــر فى أول مارس ٢٠٠٥

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE FINANCING OF TERRORISM



UNITED NATIONS
1999

International Convention for the Suppression of the Financing of Terrorism

Preamble

The States Parties to this Convention,

Bearing in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of good-neighbourliness and friendly relations and cooperation among States,

Deeply concerned about the worldwide escalation of acts of terrorism in all its forms and manifestations,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, contained in General Assembly resolution 50/6 of 24 October 1995,

Recalling also all the relevant General Assembly resolutions on the matter, including resolution 49/60 of 9 December 1994 and its annex on the Declaration on Measures to Eliminate International Terrorism, in which the States Members of the United Nations solemnly reaffirmed their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States,

Noting that the Declaration on Measures to Eliminate International Terrorism also encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations. with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

Recalling General Assembly resolution 51/210 of 17 December 1996, paragraph 3, subparagraph (f), in which the Assembly called upon all States to take steps to prevent and counteract, through appropriate domestic measures, the financing of terrorists and terrorist organizations, whether such financing is direct or indirect through organizations which also have or claim to have charitable, social or cultural goals or which are also engaged in unlawful activities such as illicit arms trafficking, drug dealing and racketeering, including the exploitation of persons for purposes of funding terrorist activities, and in particular to consider, where appropriate, adopting regulatory measures to prevent and counteract movements of funds suspected to be intended for terrorist purposes without impeding in any way the freedom of legitimate capital movements and to intensify the exchange of information concerning international movements of such funds,

Recalling also General Assembly resolution 52/165 of 15 December 1997, in which the Assembly called upon States to consider, in particular, the implementation

of the measures set out in paragraphs 3 (a) to (f) of its resolution 51/210 of 17 December 1996,

Recalling further General Assembly resolution 53/108 of 8 December 1998, in which the Assembly decided that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should elaborate a draft international convention for the suppression of terrorist financing to supplement related existing international instruments,

Considering that the financing of terrorism is a matter of grave concern to the international community as a whole,

Noting that the number and seriousness of acts of international terrorism depend on the financing that terrorists may obtain,

Noting also that existing multilateral legal instruments do not expressly address such financing,

Being convinced of the urgent need to enhance international cooperation among States in devising and adopting effective measures for the prevention of the financing of terrorism, as well as for its suppression through the prosecution and punishment of its perpetrators,

Have agreed as follows:

Article 1

For the purposes of this Convention:

1. AFunds• means assets of every kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets, including, but not limited to, bank credits, travellers cheques, bank cheques, money orders, shares, securities, bonds, drafts, letters of credit.

2. AA State or governmental facility• means any permanent or temporary facility or conveyance that is used or occupied by representatives of a State, members of Government, the legislature or the judiciary or by officials or employees of a State or any other public authority or entity or by employees or officials of an intergovernmental organization in connection with their official duties.

3. AProceeds• means any funds derived from or obtained, directly or indirectly, through the commission of an offence set forth in article 2.

Article 2

1. Any person commits an offence within the meaning of this Convention if that person by any means, directly or indirectly, unlawfully and wilfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out:

(a) An act which constitutes an offence within the scope of and as defined in one of the treaties listed in the annex; or

(b) Any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.

2. (a) On depositing its instrument of ratification, acceptance, approval or accession, a State Party which is not a party to a treaty listed in the annex may declare that, in the application of this Convention to the State Party, the treaty shall be deemed not to be included in the annex referred to in paragraph 1, subparagraph (a). The declaration shall cease to have effect as soon as the treaty enters into force for the State Party, which shall notify the depositary of this fact;

(b) When a State Party ceases to be a party to a treaty listed in the annex, it may make a declaration as provided for in this article, with respect to that treaty.

3. For an act to constitute an offence set forth in paragraph 1, it shall not be necessary that the funds were actually used to carry out an offence referred to in paragraph 1, subparagraphs (a) or (b).

4. Any person also commits an offence if that person attempts to commit an offence as set forth in paragraph 1 of this article.

5. Any person also commits an offence if that person:

(a) Participates as an accomplice in an offence as set forth in paragraph 1 or 4 of this article;

(b) Organizes or directs others to commit an offence as set forth in paragraph 1 or 4 of this article;

(c) Contributes to the commission of one or more offences as set forth in paragraphs 1 or 4 of this article by a group of persons acting with a common purpose. Such contribution shall be intentional and shall either:

(i) Be made with the aim of furthering the criminal activity or criminal purpose of the group, where such activity or purpose involves the commission of an offence as set forth in paragraph 1 of this article; or

(ii) Be made in the knowledge of the intention of the group to commit an offence as set forth in paragraph 1 of this article.

Article 3

This Convention shall not apply where the offence is committed within a single State. the alleged offender is a national of that State and is present in the territory of that State and no other State has a basis under article 7, paragraph 1, or article 7, paragraph 2, to exercise jurisdiction, except that the provisions of articles 12 to 18 shall, as appropriate, apply in those cases.

Article 4

Each State Party shall adopt such measures as may be necessary:

(a) To establish as criminal offences under its domestic law the offences set forth in article 2;

(b) To make those offences punishable by appropriate penalties which take into account the grave nature of the offences.

Article 5

1. Each State Party, in accordance with its domestic legal principles, shall take the necessary measures to enable a legal entity located in its territory or organized under its laws to be held liable when a person responsible for the management or control of that legal entity has, in that capacity, committed an offence set forth in article 2. Such liability may be criminal, civil or administrative.

2. Such liability is incurred without prejudice to the criminal liability of individuals having committed the offences.

3. Each State Party shall ensure, in particular, that legal entities liable in accordance with paragraph 1 above are subject to effective, proportionate and dissuasive criminal, civil or administrative sanctions. Such sanctions may include monetary sanctions.

Article 6

Each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.

Article 7

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 when:

(a) The offence is committed in the territory of that State;

(b) The offence is committed on board a vessel flying the flag of that State or an aircraft registered under the laws of that State at the time the offence is committed;

(c) The offence is committed by a national of that State.

2. A State Party may also establish its jurisdiction over any such offence when:

(a) The offence was directed towards or resulted in the carrying out of an offence referred to in article 2, paragraph 1, subparagraph (a) or (b), in the territory of or against a national of that State;

(b) The offence was directed towards or resulted in the carrying out of an offence referred to in article 2, paragraph 1, subparagraph (a) or (b), against a State or government facility of that State abroad, including diplomatic or consular premises of that State;

(c) The offence was directed towards or resulted in an offence referred to in article 2, paragraph 1, subparagraph (a) or (b), committed in an attempt to compel that State to do or abstain from doing any act;

(d) The offence is committed by a stateless person who has his or her habitual residence in the territory of that State;

(e) The offence is committed on board an aircraft which is operated by the Government of that State.

3. Upon ratifying, accepting, approving or acceding to this Convention, each State Party shall notify the Secretary-General of the United Nations of the jurisdiction it has established in accordance with paragraph 2. Should any change take place, the State Party concerned shall immediately notify the Secretary-General.

4. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 in cases where the alleged offender is

present in its territory and it does not extradite that person to any of the States Parties that have established their jurisdiction in accordance with paragraphs 1 or 2.

5. When more than one State Party claims jurisdiction over the offences set forth in article 2, the relevant States Parties shall strive to coordinate their actions appropriately, in particular concerning the conditions for prosecution and the modalities for mutual legal assistance.

6. Without prejudice to the norms of general international law, this Convention does not exclude the exercise of any criminal jurisdiction established by a State Party in accordance with its domestic law.

Article 8

1. Each State Party shall take appropriate measures, in accordance with its domestic legal principles, for the identification, detection and freezing or seizure of any funds used or allocated for the purpose of committing the offences set forth in article 2 as well as the proceeds derived from such offences, for purposes of possible forfeiture.

2. Each State Party shall take appropriate measures, in accordance with its domestic legal principles, for the forfeiture of funds used or allocated for the purpose of committing the offences set forth in article 2 and the proceeds derived from such offences.

3. Each State Party concerned may give consideration to concluding agreements on the sharing with other States Parties, on a regular or case-by-case basis, of the funds derived from the forfeitures referred to in this article.

4. Each State Party shall consider establishing mechanisms whereby the funds derived from the forfeitures referred to in this article are utilized to compensate the victims of offences referred to in article 2, paragraph 1, subparagraph (a) or (b), or their families.

5. The provisions of this article shall be implemented without prejudice to the rights of third parties acting in good faith.

Article 9

1. Upon receiving information that a person who has committed or who is alleged to have committed an offence set forth in article 2 may be present in its territory, the State Party concerned shall take such measures as may be necessary under its domestic law to investigate the facts contained in the information.

2. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the offender or alleged offender is present shall take the appropriate measures under its domestic law so as to ensure that person's presence for the purpose of prosecution or extradition.

3. Any person regarding whom the measures referred to in paragraph 2 are being taken shall be entitled to:

(a) Communicate without delay with the nearest appropriate representative of the State of which that person is a national or which is otherwise entitled to protect that person's rights or, if that person is a stateless person, the State in the territory of which that person habitually resides;

(b) Be visited by a representative of that State;

(c) Be informed of that person's rights under subparagraphs (a) and (b).

4. The rights referred to in paragraph 3 shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or alleged offender is present, subject to the provision that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5. The provisions of paragraphs 3 and 4 shall be without prejudice to the right of any State Party having a claim to jurisdiction in accordance with article 7, paragraph 1, subparagraph (b), or paragraph 2, subparagraph (b), to invite the International Committee of the Red Cross to communicate with and visit the alleged offender.

6. When a State Party, pursuant to the present article, has taken a person into custody, it shall immediately notify, directly or through the Secretary-General of the United Nations, the States Parties which have established jurisdiction in accordance with article 7, paragraph 1 or 2, and, if it considers it advisable, any other interested States Parties, of the fact that such person is in custody and of the circumstances which warrant that person's detention. The State which makes the investigation contemplated in paragraph 1 shall promptly inform the said States Parties of its findings and shall indicate whether it intends to exercise jurisdiction.

Article 10

1. The State Party in the territory of which the alleged offender is present shall, in cases to which article 7 applies, if it does not extradite that person, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case without undue delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offence of a grave nature under the law of that State.

2. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State to serve the sentence imposed as a result of the trial or proceeding for which the extradition or surrender of the person was sought, and this State and the State seeking the extradition of the person agree with this option and other terms they may deem appropriate,

such a conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 1.

Article 11

1. The offences set forth in article 2 shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the States Parties before the entry into force of this Convention. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be subsequently concluded between them.

2. When a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offences set forth in article 2. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 2 as extraditable offences between themselves, subject to the conditions provided by the law of the requested State.

4. If necessary, the offences set forth in article 2 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territory of the States that have established jurisdiction in accordance with article 7, paragraphs 1 and 2.

5. The provisions of all extradition treaties and arrangements between States Parties with regard to offences set forth in article 2 shall be deemed to be modified as between States Parties to the extent that they are incompatible with this Convention.

Article 12

1. States Parties shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal or extradition proceedings in respect of the offences set forth in article 2, including assistance in obtaining evidence in their possession necessary for the proceedings.

2. States Parties may not refuse a request for mutual legal assistance on the ground of bank secrecy.

3. The requesting Party shall not transmit nor use information or evidence furnished by the requested Party for investigations, prosecutions or proceedings other than those stated in the request without the prior consent of the requested Party.

4. Each State Party may give consideration to establishing mechanisms to share with other States Parties information or evidence needed to establish criminal, civil or administrative liability pursuant to article 5.

5. States Parties shall carry out their obligations under paragraphs 1 and 2 in conformity with any treaties or other arrangements on mutual legal assistance or information exchange that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.

Article 13

None of the offences set forth in article 2 shall be regarded, for the purposes of extradition or mutual legal assistance, as a fiscal offence. Accordingly, States Parties may not refuse a request for extradition or for mutual legal assistance on the sole ground that it concerns a fiscal offence.

Article 14

None of the offences set forth in article 2 shall be regarded for the purposes of extradition or mutual legal assistance as a political offence or as an offence connected with a political offence or as an offence inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such an offence may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence or an offence inspired by political motives.

Article 15

Nothing in this Convention shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance, if the requested State Party has substantial grounds for believing that the request for extradition for offences set forth in article 2 or for mutual legal assistance with respect to such offences has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion or that compliance with the request would cause prejudice to that person's position for any of these reasons.

Article 16

1. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of identification, testimony or otherwise providing assistance in obtaining evidence for the investigation or prosecution of offences set forth in article 2 may be transferred if the following conditions are met:

(a) The person freely gives his or her informed consent;

(b) The competent authorities of both States agree, subject to such conditions as those States may deem appropriate.

2. For the purposes of the present article:

(a) The State to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State from which the person was transferred;

(b) The State to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States;

(c) The State to which the person is transferred shall not require the State from which the person was transferred to initiate extradition proceedings for the return of the person;

(d) The person transferred shall receive credit for service of the sentence being served in the State from which he or she was transferred for time spent in the custody of the State to which he or she was transferred.

3. Unless the State Party from which a person is to be transferred in accordance with the present article so agrees, that person, whatever his or her nationality, shall not be prosecuted or detained or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts or convictions anterior to his or her departure from the territory of the State from which such person was transferred.

Article 17

Any person who is taken into custody or regarding whom any other measures are taken or proceedings are carried out pursuant to this Convention shall be guaranteed fair treatment, including enjoyment of all rights and guarantees in conformity with the law of the State in the territory of which that person is present and applicable provisions of international law, including international human rights law.

Article 18

1. States Parties shall cooperate in the prevention of the offences set forth in article 2 by taking all practicable measures, *inter alia*, by adapting their domestic legislation, if necessary, to prevent and counter preparations in their respective territories for the commission of those offences within or outside their territories, including:

(a) Measures to prohibit in their territories illegal activities of persons and organizations that knowingly encourage, instigate, organize or engage in the commission of offences set forth in article 2;

(b) Measures requiring financial institutions and other professions involved in financial transactions to utilize the most efficient measures available for the identification of their usual or occasional customers, as well as customers in whose interest accounts are opened, and to pay special attention to unusual or suspicious transactions and report transactions suspected of stemming from a criminal activity. For this purpose, States Parties shall consider:

(i) Adopting regulations prohibiting the opening of accounts the holders or beneficiaries of which are unidentified or unidentifiable, and measures to ensure that such institutions verify the identity of the real owners of such transactions;

(ii) With respect to the identification of legal entities, requiring financial institutions, when necessary, to take measures to verify the legal existence and the structure of the customer by obtaining, either from a public register or from the customer or both, proof of incorporation, including information concerning the customer=s name, legal form, address, directors and provisions regulating the power to bind the entity;

(iii) Adopting regulations imposing on financial institutions the obligation to report promptly to the competent authorities all complex, unusual large transactions and unusual patterns of transactions, which have no apparent economic or obviously lawful purpose, without fear of assuming criminal or civil liability for breach of any restriction on disclosure of information if they report their suspicions in good faith;

(iv) Requiring financial institutions to maintain, for at least five years, all necessary records on transactions, both domestic or international.

2. States Parties shall further cooperate in the prevention of offences set forth in article 2 by considering:

(a) Measures for the supervision, including, for example, the licensing, of all money-transmission agencies;

(b) Feasible measures to detect or monitor the physical cross-border transportation of cash and bearer negotiable instruments, subject to strict safeguards to ensure proper use of information and without impeding in any way the freedom of capital movements.

3. States Parties shall further cooperate in the prevention of the offences set forth in article 2 by exchanging accurate and verified information in accordance with their domestic law and coordinating administrative and other measures taken, as appropriate, to prevent the commission of offences set forth in article 2, in particular by:

(a) Establishing and maintaining channels of communication between their competent agencies and services to facilitate the secure and rapid exchange of information concerning all aspects of offences set forth in article 2;

(b) Cooperating with one another in conducting inquiries, with respect to the offences set forth in article 2, concerning:

(i) The identity, whereabouts and activities of persons in respect of whom reasonable suspicion exists that they are involved in such offences;

(ii) The movement of funds relating to the commission of such offences.

4. States Parties may exchange information through the International Criminal Police Organization (Interpol).

Article 19

The State Party where the alleged offender is prosecuted shall, in accordance with its domestic law or applicable procedures, communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

Article 20

The States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.

Article 21

Nothing in this Convention shall affect other rights, obligations and responsibilities of States and individuals under international law, in particular the purposes of the Charter of the United Nations, international humanitarian law and other relevant conventions.

Article 22

Nothing in this Convention entitles a State Party to undertake in the territory of another State Party the exercise of jurisdiction or performance of functions which are exclusively reserved for the authorities of that other State Party by its domestic law.

Article 23

1. The annex may be amended by the addition of relevant treaties that:

(a) Are open to the participation of all States;

(b) Have entered into force;

(c) Have been ratified, accepted, approved or acceded to by at least twenty-two States Parties to the present Convention.

2. After the entry into force of this Convention, any State Party may propose such an amendment. Any proposal for an amendment shall be communicated to the depositary in written form. The depositary shall notify proposals that meet the requirements of paragraph 1 to all States Parties and seek their views on whether the proposed amendment should be adopted.

3. The proposed amendment shall be deemed adopted unless one third of the States Parties object to it by a written notification not later than 180 days after its circulation.

4. The adopted amendment to the annex shall enter into force 30 days after the deposit of the twenty-second instrument of ratification, acceptance or approval of such amendment for all those States Parties having deposited such an instrument. For each State Party ratifying, accepting or approving the amendment after the deposit of the twenty-second instrument, the amendment shall enter into force on the thirtieth day after deposit by such State Party of its instrument of ratification, acceptance or approval.

Article 24

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice, by application, in conformity with the Statute of the Court.

2. Each State may at the time of signature, ratification, acceptance or approval of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1. The other States Parties shall not be bound by paragraph 1 with respect to any State Party which has made such a reservation.

3. Any State which has made a reservation in accordance with paragraph 2 may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 25

1. This Convention shall be open for signature by all States from 10 January 2000 to 31 December 2001 at United Nations Headquarters in New York.

2. This Convention is subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall be open to accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 26

1. This Convention shall enter into force on the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to the Convention after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification, acceptance, approval or accession.

Article 27

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

Article 28

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations who shall send certified copies thereof to all States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at United Nations Headquarters in New York on 10 January 2000.

Annex

1. Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970.

2. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971.

3. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973.

4. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979.

5. Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3 March 1980.

6. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988.

7. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988.

8. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988.

9. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997.

UN CONVENTIONS ON TERRORISM

Country	Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 Dec 1999.
Afghanistan	24 Sep 2003 (a)
Albania	10 Apr 2002 (R)
Algeria	8 Nov 2001 (R)
Andorra	22 Oct 2008 (R)
Angola	
Antigua and Barbuda	11 Mar 2002 (a)
Argentina	22 Aug 2006 (R)
Armenia	16 Mar 2004 (R)
Australia	26 Sep 2002 (R)
Austria	15 Apr 2002 (R)
Azerbaijan	26 Oct 2001 (R)
Bahamas	1 Nov 2005 (R)
Bahrain	21 Sep 2004 (R)
Bangladesh	26 Aug 2005 (a)
Barbados	18 Sep 2002 (R)
Belarus	06 Oct 2004 (R)
Belgium	17 May 2004 (R)
Belize	01 Dec 2003 (R)
Benin	30 Aug 2004 (R)
Bhutan	22 Mar 2004 (R)
Bolivia	7 Jan 2002(R)
Bosnia and Herzegovina	10 Jun 2003 (R)
Botswana	8 Sep 2000(R)
Brazil	16 Sep 2005 (R)
Brunei Darussalam	4 Dec 2002(a)
Bulgaria	15 Apr 2002 (R)

Country	Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 Dec 1999.
Burkina Faso	01 Oct 2003 (a)
Burundi	13 Nov 2001(S)
Cambodia	12 Dec 2005 (R)
Cameroon	6 Feb 2006 (a)
Canada	19 Feb 2002(R)
Cape Verde	10 May 2002 (R)
Central African Republic	19 Feb 2008 (R)
Chad	
Chile	10 Nov 2001 (R)
China	19 Apr 2006 (R)
Colombia	14 Sep 2004 (R)
Comoros	25 Sep 2003 (R)
Congo	20 Apr 2007 (R)
Cook Islands	4 Mar 2004 (R)
Costa Rica	24 Jan 2003 (R)
Côte D'Ivoire	13 Mar 2002 (a)
Croatia	01 Dec 2003 (R)
Cuba	15 Nov 2001(R)
Cyprus	30 Nov 2001(R)
Czech Republic	27 Dec 2005 (R)
Democratic People's Republic of Korea (North Korea)	12 Nov 2001(S)
Democratic Republic of the Congo	28 Oct 2005 (R)
Denmark	27 Aug 2002 (R)
Djibouti	13 Mar 2006 (R)
Dominica	24 Sep 2004 (a)
Dominican Republic	4 Sep 2008 (R)
Ecuador	09 Dec 2003 (R)
Egypt	01 Mar 2005 (R)
El Salvador	15 May 2003 (a)
Equatorial Guinea	7 Feb 2003 (a)
Eritrea	
Estonia	22 May 2002 (R)
Ethiopia	

Country	Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 Dec 1999.
Fiji	15 May 2008 (a)
Finland	28 Jun 2002 (A)
France	7 Jan 2002(R)
Gabon	10 Mar 2005 (R)
Gambia	
Georgia	27 Sep 2002 (R)
Germany	17 Jun 2004 (R)
Ghana	6 Sep 2002 (R)
Greece	16 Apr 2004 (R)
Grenada	13 Dec 2001(a)
Guatemala	12 Feb 2002(R)
Guinea	14 Jul 2003 (R)
Guinea-Bissau	19 Sep 2008 (R)
Guyana	12 Sep 2007 (a)
Haiti	13 Jan 2010 (a)
Honduras	25 Mar 2003 (R)
Hungary	14 Oct 2002 (R)
Iceland	15 Apr 2002 (R)
India	22 Apr 2003 (R)
Indonesia	29 Jun 2006 (R)
Iran	
Iraq	
Ireland	30 Jun 2005 (R)
Israel	10 Feb 2003 (R)
Italy	27 Mar 2003 (R)
Jamaica	16 Sep 2005 (R)
Japan	11 Jun 2002(A)
Jordan	28 Aug 2003 (R)
Kazakhstan	24 Feb 2003(a)
Kenya	27 Jun 2003 (R)
Kiribati	15 Sep 2005 (a)
Kuwait	
Kyrgyzstan	02 Oct 2003 (a)
Lao, People's Democratic Republic	29 Sep 2008 (a)
Latvia	14 Nov 2002 (R)
Lebanon	

Country	Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 Dec 1999.
Lesotho	12 Nov 2001(R)
Liberia	5 Mar 2003 (a)
Libyan Arab Jamahiriya	9 Jul 2002 (R)
Liechtenstein	09 Jul 2003 (R)
Lithuania	20 Feb 2003(a)
Luxemburg	05 Nov 2003 (R)
Madagascar	24 Sep 2003 (R)
Malawi	11 Aug 2003 (a)
Malaysia	29 May 2007 (a)
Maldives	20 Apr 2004 (a)
Mali	28 Mar 2002 (R)
Malta	11 Nov 2001(R)
Marshall Islands	27 Jan 2003(a)
Mauritania	30 Apr 2003 (a)
Mauritius	14 Dec 2004 (R)
Mexico	20 Jan 2003 (R)
Micronesia, Federal States of	23 Sep 2002 (R)
Monaco	10 Nov 2001(R)
Mongolia	25 Feb 2004 (R)
Montenegro	23 Oct 2006 (Succ)
Morocco	19 Sep 2002 (R)
Mozambique	14 Jan 2003 (R)
Myanmar	16 Aug 2006 (R)
Namibia	10 Nov 2001(S)
Nauru	24 May 2005 (R)
Nepal	
Netherlands	7 Feb 2002(A)
New Zealand	4 Nov 2002 (R)
Nicaragua	14 Nov 2002 (R)
Niger	30 Sep 2004 (a)
Nigeria	16 Jun 2003 (R)
Niue	22 Jun 2009 (a)
Norway	15 Jul 2002 (R)
Oman	
Pakistan	17 Jun 2009 (a)

Country	Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 Dec 1999.
Palau	14 Nov 2001(a)
Panama	3 Jul 2002 (R)
Papua New Guinea	30 Sep 2003 (a)
Paraguay	30 Nov 2004 (R)
Peru	10 Nov 2001(R)
Philippines	07 Jan 2004 (R)
Poland	26 Sep 2003 (R)
Portugal	18 Oct 2002 (R)
Qatar	27 Jul 2008 (a)
Republic of Korea (South Korea)	17 Feb 2004 (R)
Republic of Moldova	10 Oct 2002 (R)
Romania	9 Jan 2003 (R)
Russian Federation	27 Nov 2002 (R)
Rwanda	13 May 2002 (R)
Saint Kitts and Nevis	16 Nov 2001(R)
Saint Lucia	
Saint Vincent and the Grenadines	28 Mar 2002 (R)
Samoa	27 Sep 2002 (R)
San Marino	12 Mar 2002 (R)
Sao Tome and Principe	12 Apr 2006 (a)
Saudi Arabia	23 Aug 2007 (R)
Senegal	24 Sep 2004 (a)
Serbia	10 Oct 2002 (R)
Seychelles	30 Mar 2004 (R)
Sierra Leone	26 Sep 2003 (R)
Singapore	30 Dec 2002 (R)
Slovakia	13 Sep 2002 (R)
Slovenia	23 Sep 2004 (R)
Solomon Islands	24 Sep 2009 (a)
Somalia	19 Dec 2001(S)
South Africa	1 May 2003 (R)
Spain	9 Apr 2002 (R)
Sri Lanka	8 Sep 2000(R)
Sudan	5 May 2003 (R)

Country	Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 Dec 1999.
Suriname	
Swaziland	4 Apr 2003 (a)
Sweden	6 Jun 2002 (R)
Switzerland	23 Sep 2003 (R)
Syrian Arab Republic	24 Apr 2005 (a)
Tajikistan	16 Jul 2004 (R)
Thailand	29 Sep 2004 (R)
The Former Yugoslav Republic of Macedonia	30 Aug 2004 (R)
Timor-Leste	
Togo	10 Mar 2003 (R)
Tonga	9 Dec 2002 (a)
Trinidad and Tobago	23 Sep 2009 (a)
Tunisia	10 Jun 2003 (R)
Turkey	28 Jun 2002 (R)
Turkmenistan	07 Jan 2005 (a)
Tuvalu	
Uganda	05 Nov 2003 (R)
Ukraine	6 Dec 2002 (R)
United Arab Emirates	23 Sep 2005 (a)
United Kingdom of Great Britain and Northern Ireland	7 Mar 2001(R)
United Republic of Tanzania	22 Jan 2003(a)
United States of America	26 Jun 2002 (R)
Uruguay	08 Jan 2004 (R)
Uzbekistan	9 Jul 2001(R)
Vanuatu	31 Oct 2005 (a)
Venezuela (Bolivarian Republic of)	23 Sep 2003 (R)
Viet Nam	25 Sep 2002(a)
Yemen	3 Mar 2010 (a)
Yugoslavia, Former Republic of	
Zambia	

Country	Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 Dec 1999.
Zimbabwe	
Contracting parties	173
Signatories that have not ratified	4

UN CONVENTIONS ON TERRORISM

Key:

Acc Date of Accession (becoming party to the agreement after it has already entered into force).

Accept Date of Acceptance (agreeing to be legally bound by the terms of the Treaty).

App Date of Approval (approved by government and awaiting ratification by the legislative process).

EIF Entered Into Force

R Date of Ratification (fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable. such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary).

S Date of Signature (competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification).

Succ Date of Succession (when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party).

الإتفاقية الدولية لعام ٢٠٠٥
لقمع أعمال الإرهــاب النـــووى

وقعت عليها مصــر فى ٢٠ سبتمبر ٢٠٠٥

ولم تصــدق عليها بعــــد

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF ACTS OF NUCLEAR TERRORISM



UNITED NATIONS
2005

International Convention for the Suppression of Acts of Nuclear Terrorism

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of good-neighbourliness and friendly relations and cooperation among States,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations of 24 October 1995,

Recognizing the right of all States to develop and apply nuclear energy for peaceful purposes and their legitimate interests in the potential benefits to be derived from the peaceful application of nuclear energy,

Bearing in mind the Convention on the Physical Protection of Nuclear Material of 1980,

Deeply concerned about the worldwide escalation of acts of terrorism in all its forms and manifestations,

Recalling the Declaration on Measures to Eliminate International Terrorism annexed to General Assembly resolution 49/60 of 9 December 1994, in which, inter alia, the States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States,

Noting that the Declaration also encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

Recalling General Assembly resolution 51/210 of 17 December 1996 and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism annexed thereto,

Recalling also that, pursuant to General Assembly resolution 51/210, an ad hoc committee was established to elaborate, inter alia, an international convention for the suppression of acts of nuclear terrorism to supplement related existing international instruments,

Noting that acts of nuclear terrorism may result in the gravest consequences and may pose a threat to international peace and security,

Noting also that existing multilateral legal provisions do not adequately address those attacks,

Being convinced of the urgent need to enhance international cooperation between States in devising and adopting effective and practical measures for the prevention of such acts of terrorism and for the prosecution and punishment of their perpetrators,

Noting that the activities of military forces of States are governed by rules of international law outside of the framework of this Convention and that the exclusion of certain actions from the coverage of this Convention does not condone or make lawful otherwise unlawful acts, or preclude prosecution under other laws,

Have agreed as follows:

Article 1

For the purposes of this Convention:

1. "Radioactive material" means nuclear material and other radioactive substances which contain nuclides which undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and which may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment.

2. "Nuclear material" means plutonium, except that with isotopic concentration exceeding 80 per cent in plutonium-238; uranium-233; uranium enriched in the isotope 235 or 233; uranium containing the mixture of isotopes as occurring in nature other than in the form of ore or ore residue; or any material containing one or more of the foregoing;

Whereby "uranium enriched in the isotope 235 or 233" means uranium containing the isotope 235 or 233 or both in an amount such that the abundance ratio of the sum of these isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature.

3. "Nuclear facility" means:

(*a*) Any nuclear reactor, including reactors installed on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

(*b*) Any plant or conveyance being used for the production, storage, processing or transport of radioactive material.

4. "Device" means:

(*a*) Any nuclear explosive device; or

(*b*) Any radioactive material dispersal or radiation-emitting device which may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or to the environment.

5. "State or government facility" includes any permanent or temporary facility or conveyance that is used or occupied by representatives of a State, members of a Government, the legislature or the judiciary or by officials or employees of a State or any other public authority or entity or by employees or officials of an intergovernmental organization in connection with their official duties.

6. "Military forces of a State" means the armed forces of a State which are organized, trained and equipped under its internal law for the primary purpose of national defence or security and persons acting in support of those armed forces who are under their formal command, control and responsibility.

Article 2

1. Any person commits an offence within the meaning of this Convention if that person unlawfully and intentionally:

(*a*) Possesses radioactive material or makes or possesses a device:

(i) With the intent to cause death or serious bodily injury; or

(ii) With the intent to cause substantial damage to property or to the environment;

(*b*) Uses in any way radioactive material or a device, or uses or damages a nuclear facility in a manner which releases or risks the release of radioactive material:

(i) With the intent to cause death or serious bodily injury; or

(ii) With the intent to cause substantial damage to property or to the environment; or

(iii) With the intent to compel a natural or legal person, an international organization or a State to do or refrain from doing an act.

2. Any person also commits an offence if that person:

(*a*) Threatens, under circumstances which indicate the credibility of the threat, to commit an offence as set forth in paragraph 1 (*b*) of the present article; or

(*b*) Demands unlawfully and intentionally radioactive material, a device or a nuclear facility by threat, under circumstances which indicate the credibility of the threat, or by use of force.

3. Any person also commits an offence if that person attempts to commit an offence as set forth in paragraph 1 of the present article.

4. Any person also commits an offence if that person:

(*a*) Participates as an accomplice in an offence as set forth in paragraph 1, 2 or 3 of the present article; or

(*b*) Organizes or directs others to commit an offence as set forth in paragraph 1, 2 or 3 of the present article; or

(*c*) In any other way contributes to the commission of one or more offences as set forth in paragraph 1, 2 or 3 of the present article by a group of persons acting with a common purpose; such contribution shall be intentional and either be made with the aim of furthering the general criminal activity or purpose of the group or be made in the knowledge of the intention of the group to commit the offence or offences concerned.

Article 3

This Convention shall not apply where the offence is committed within a single State, the alleged offender and the victims are nationals of that State, the alleged offender is found in the territory of that State and no other State has a basis under article 9, paragraph 1 or 2, to exercise jurisdiction, except that the provisions of articles 7, 12, 14, 15, 16 and 17 shall, as appropriate, apply in those cases.

Article 4

1. Nothing in this Convention shall affect other rights, obligations and responsibilities of States and individuals under international law, in particular the purposes and principles of the Charter of the United Nations and international humanitarian law.

2. The activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law are not governed by this Convention, and the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention.

3. The provisions of paragraph 2 of the present article shall not be interpreted as condoning or making lawful otherwise unlawful acts, or precluding prosecution under other laws.

4. This Convention does not address, nor can it be interpreted as addressing, in any way, the issue of the legality of the use or threat of use of nuclear weapons by States.

Article 5

Each State Party shall adopt such measures as may be necessary:

(*a*) To establish as criminal offences under its national law the offences set forth in article 2;

(*b*) To make those offences punishable by appropriate penalties which take into account the grave nature of these offences.

Article 6

Each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.

Article 7

1. States Parties shall cooperate by:

(*a*) Taking all practicable measures, including, if necessary, adapting their national law, to prevent and counter preparations in their respective territories for the commission within or outside their territories of the offences set forth in article 2, including measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize, knowingly finance or knowingly provide technical assistance or information or engage in the perpetration of those offences;

(*b*) Exchanging accurate and verified information in accordance with their national law and in the manner and subject to the conditions specified herein, and coordinating administrative and other measures taken as appropriate to detect, prevent, suppress and investigate the offences set forth in article 2 and also in order to institute criminal proceedings against persons alleged to have committed those crimes. In particular, a State Party shall take appropriate measures in order to inform without delay the other States referred to in article 9 in respect of the commission of the offences set forth in article 2 as well as preparations to commit such offences about which it has learned, and also to inform, where appropriate, international organizations.

2. States Parties shall take appropriate measures consistent with their national law to protect the confidentiality of any information which they receive in confidence by virtue of the provisions of this Convention from

another State Party or through participation in an activity carried out for the implementation of this Convention. If States Parties provide information to international organizations in confidence, steps shall be taken to ensure that the confidentiality of such information is protected.

3. States Parties shall not be required by this Convention to provide any information which they are not permitted to communicate pursuant to national law or which would jeopardize the security of the State concerned or the physical protection of nuclear material.

4. States Parties shall inform the Secretary-General of the United Nations of their competent authorities and liaison points responsible for sending and receiving the information referred to in the present article. The Secretary-General of the United Nations shall communicate such information regarding competent authorities and liaison points to all States Parties and the International Atomic Energy Agency. Such authorities and liaison points must be accessible on a continuous basis.

Article 8

For purposes of preventing offences under this Convention, States Parties shall make every effort to adopt appropriate measures to ensure the protection of radioactive material, taking into account relevant recommendations and functions of the International Atomic Energy Agency.

Article 9

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 when:

(*a*) The offence is committed in the territory of that State; or

(*b*) The offence is committed on board a vessel flying the flag of that State or an aircraft which is registered under the laws of that State at the time the offence is committed; or

(*c*) The offence is committed by a national of that State.

2. A State Party may also establish its jurisdiction over any such offence when:

(*a*) The offence is committed against a national of that State; or

(*b*) The offence is committed against a State or government facility of that State abroad, including an embassy or other diplomatic or consular premises of that State; or

(*c*) The offence is committed by a stateless person who has his or her habitual residence in the territory of that State; or

(*d*) The offence is committed in an attempt to compel that State to do or abstain from doing any act; or

(*e*) The offence is committed on board an aircraft which is operated by the Government of that State.

3. Upon ratifying, accepting, approving or acceding to this Convention, each State Party shall notify the Secretary-General of the United Nations of the jurisdiction it has established under its national law in accordance with paragraph 2 of the present article. Should any change take place, the State Party concerned shall immediately notify the Secretary-General.

4. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 in cases where the alleged offender is present in its territory and it does not extradite that person to any of the States Parties which have established their jurisdiction in accordance with paragraph 1 or 2 of the present article.

5. This Convention does not exclude the exercise of any criminal jurisdiction established by a State Party in accordance with its national law.

Article 10

1. Upon receiving information that an offence set forth in article 2 has been committed or is being committed in the territory of a State Party or that a person who has committed or who is alleged to have committed such an offence may be present in its territory, the State Party concerned shall take such measures as may be necessary under its national law to investigate the facts contained in the information.

2. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the offender or alleged offender is present shall take the appropriate measures under its national law so as to ensure that person's presence for the purpose of prosecution or extradition.

3. Any person regarding whom the measures referred to in paragraph 2 of the present article are being taken shall be entitled:

(*a*) To communicate without delay with the nearest appropriate representative of the State of which that person is a national or which is otherwise entitled to protect that person's rights or, if that person is a stateless person, the State in the territory of which that person habitually resides;

(*b*) To be visited by a representative of that State;

(*c*) To be informed of that person's rights under subparagraphs (*a*) and (*b*).

4. The rights referred to in paragraph 3 of the present article shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or alleged offender is present, subject to the

provision that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5. The provisions of paragraphs 3 and 4 of the present article shall be without prejudice to the right of any State Party having a claim to jurisdiction in accordance with article 9, paragraph 1 (*c*) or 2 (*c*), to invite the International Committee of the Red Cross to communicate with and visit the alleged offender.

6. When a State Party, pursuant to the present article, has taken a person into custody, it shall immediately notify, directly or through the Secretary-General of the United Nations, the States Parties which have established jurisdiction in accordance with article 9, paragraphs 1 and 2, and, if it considers it advisable, any other interested States Parties, of the fact that that person is in custody and of the circumstances which warrant that person's detention. The State which makes the investigation contemplated in paragraph 1 of the present article shall promptly inform the said States Parties of its findings and shall indicate whether it intends to exercise jurisdiction.

Article 11

1. The State Party in the territory of which the alleged offender is present shall, in cases to which article 9 applies, if it does not extradite that person, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case without undue delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offence of a grave nature under the law of that State.

2. Whenever a State Party is permitted under its national law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State to serve the sentence imposed as a result of the trial or proceeding for which the extradition or surrender of the person was sought, and this State and the State seeking the extradition of the person agree with this option and other terms they may deem appropriate, such a conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 1 of the present article.

Article 12

Any person who is taken into custody or regarding whom any other measures are taken or proceedings are carried out pursuant to this Convention shall be guaranteed fair treatment, including enjoyment of all rights and guarantees in conformity with the law of the State in the territory of which that

person is present and applicable provisions of international law, including international law of human rights.

Article 13

1. The offences set forth in article 2 shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the States Parties before the entry into force of this Convention. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be subsequently concluded between them.

2. When a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offences set forth in article 2. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 2 as extraditable offences between themselves, subject to the conditions provided by the law of the requested State.

4. If necessary, the offences set forth in article 2 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territory of the States that have established jurisdiction in accordance with article 9, paragraphs 1 and 2.

5. The provisions of all extradition treaties and arrangements between States Parties with regard to offences set forth in article 2 shall be deemed to be modified as between States Parties to the extent that they are incompatible with this Convention.

Article 14

1. States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 2, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 of the present article in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their national law.

Article 15

None of the offences set forth in article 2 shall be regarded, for the purposes of extradition or mutual legal assistance, as a political offence or as an offence connected with a political offence or as an offence inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such an offence may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence or an offence inspired by political motives.

Article 16

Nothing in this Convention shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance if the requested State Party has substantial grounds for believing that the request for extradition for offences set forth in article 2 or for mutual legal assistance with respect to such offences has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion or that compliance with the request would cause prejudice to that person's position for any of these reasons.

Article 17

1. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of testimony, identification or otherwise providing assistance in obtaining evidence for the investigation or prosecution of offences under this Convention may be transferred if the following conditions are met:

(*a*) The person freely gives his or her informed consent; and

(*b*) The competent authorities of both States agree, subject to such conditions as those States may deem appropriate.

2. For the purposes of the present article:

(*a*) The State to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State from which the person was transferred;

(*b*) The State to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States;

(*c*) The State to which the person is transferred shall not require the State from which the person was transferred to initiate extradition proceedings for the return of the person;

(*d*) The person transferred shall receive credit for service of the sentence being served in the State from which he or she was transferred for time spent in the custody of the State to which he or she was transferred.

3. Unless the State Party from which a person is to be transferred in accordance with the present article so agrees, that person, whatever his or her nationality, shall not be prosecuted or detained or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts or convictions anterior to his or her departure from the territory of the State from which such person was transferred.

Article 18

1. Upon seizing or otherwise taking control of radioactive material, devices or nuclear facilities, following the commission of an offence set forth in article 2, the State Party in possession of such items shall:

(*a*) Take steps to render harmless the radioactive material, device or nuclear facility;

(*b*) Ensure that any nuclear material is held in accordance with applicable International Atomic Energy Agency safeguards; and

(*c*) Have regard to physical protection recommendations and health and safety standards published by the International Atomic Energy Agency.

2. Upon the completion of any proceedings connected with an offence set forth in article 2, or sooner if required by international law, any radioactive material, device or nuclear facility shall be returned, after consultations (in particular, regarding modalities of return and storage) with the States Parties concerned to the State Party to which it belongs, to the State Party of which the natural or legal person owning such radioactive material, device or facility is a national or resident, or to the State Party from whose territory it was stolen or otherwise unlawfully obtained.

3. (*a*) Where a State Party is prohibited by national or international law from returning or accepting such radioactive material, device or nuclear facility or where the States Parties concerned so agree, subject to paragraph 3 (*b*) of the present article, the State Party in possession of the radioactive material, devices or nuclear facilities shall continue to take the steps described in paragraph 1 of the present article; such radioactive material, devices or nuclear facilities shall be used only for peaceful purposes;

(*b*) Where it is not lawful for the State Party in possession of the radioactive material, devices or nuclear facilities to possess them, that State

shall ensure that they are placed as soon as possible in the possession of a State for which such possession is lawful and which, where appropriate, has provided assurances consistent with the requirements of paragraph 1 of the present article in consultation with that State, for the purpose of rendering it harmless; such radioactive material, devices or nuclear facilities shall be used only for peaceful purposes.

4. If the radioactive material, devices or nuclear facilities referred to in paragraphs 1 and 2 of the present article do not belong to any of the States Parties or to a national or resident of a State Party or was not stolen or otherwise unlawfully obtained from the territory of a State Party, or if no State is willing to receive such items pursuant to paragraph 3 of the present article, a separate decision concerning its disposition shall, subject to paragraph 3 (*b*) of the present article, be taken after consultations between the States concerned and any relevant international organizations.

5. For the purposes of paragraphs 1, 2, 3 and 4 of the present article, the State Party in possession of the radioactive material, device or nuclear facility may request the assistance and cooperation of other States Parties, in particular the States Parties concerned, and any relevant international organizations, in particular the International Atomic Energy Agency. States Parties and the relevant international organizations are encouraged to provide assistance pursuant to this paragraph to the maximum extent possible.

6. The States Parties involved in the disposition or retention of the radioactive material, device or nuclear facility pursuant to the present article shall inform the Director General of the International Atomic Energy Agency of the manner in which such an item was disposed of or retained. The Director General of the International Atomic Energy Agency shall transmit the information to the other States Parties.

7. In the event of any dissemination in connection with an offence set forth in article 2, nothing in the present article shall affect in any way the rules of international law governing liability for nuclear damage, or other rules of international law.

Article 19

The State Party where the alleged offender is prosecuted shall, in accordance with its national law or applicable procedures, communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

Article 20

States Parties shall conduct consultations with one another directly or through the Secretary-General of the United Nations, with the assistance of

international organizations as necessary, to ensure effective implementation of this Convention.

Article 21

The States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.

Article 22

Nothing in this Convention entitles a State Party to undertake in the territory of another State Party the exercise of jurisdiction and performance of functions which are exclusively reserved for the authorities of that other State Party by its national law.

Article 23

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months of the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice, by application, in conformity with the Statute of the Court.

2. Each State may, at the time of signature, ratification, acceptance or approval of this Convention or accession thereto, declare that it does not consider itself bound by paragraph 1 of the present article. The other States Parties shall not be bound by paragraph 1 with respect to any State Party which has made such a reservation.

3. Any State which has made a reservation in accordance with paragraph 2 of the present article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 24

1. This Convention shall be open for signature by all States from 14 September 2005 until 31 December 2006 at United Nations Headquarters in New York.

2. This Convention is subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall be open to accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 25

1. This Convention shall enter into force on the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to the Convention after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification, acceptance, approval or accession.

Article 26

1. A State Party may propose an amendment to this Convention. The proposed amendment shall be submitted to the depositary, who circulates it immediately to all States Parties.

2. If the majority of the States Parties request the depositary to convene a conference to consider the proposed amendments, the depositary shall invite all States Parties to attend such a conference to begin no sooner than three months after the invitations are issued.

3. The conference shall make every effort to ensure amendments are adopted by consensus. Should this not be possible, amendments shall be adopted by a two-thirds majority of all States Parties. Any amendment adopted at the conference shall be promptly circulated by the depositary to all States Parties.

4. The amendment adopted pursuant to paragraph 3 of the present article shall enter into force for each State Party that deposits its instrument of ratification, acceptance, accession or approval of the amendment on the thirtieth day after the date on which two thirds of the States Parties have deposited their relevant instrument. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day after the date on which that State deposits its relevant instrument.

Article 27

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

Article 28

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at United Nations Headquarters in New York on 14 September 2005.

Today is Wednesday, 15 December 2010 11:54:36 AM
STATUS AS AT : 15-12-2010 01:48:02 EDT

CHAPTER XVIII

PENAL MATTERS

15 . International Convention for the Suppression of Acts of Nuclear Terrorism

New York, 13 April 2005

Entry into force : 7 July 2007, in accordance with article 25(1)

Registration : 7 July 2007, No. 44004

Status : Signatories : 115. Parties : 76

Text : United Nations, *Treaty Series*, vol. 2445, p. 89; A/RES/59/290.

Note : The above Convention was adopted on 13 April 2005 during the 91st plenary meeting of the General Assembly by resolution A/RES/59/290. In accordance with its article 24, the Convention shall be open for signature by all States from 14 September 2005 until 31 December 2006 at United Nations Headquarters in New York.

Participant	Signature, Succession to signature(d)	Approval(AA), Acceptance(A), Accession(a), Ratification
Afghanistan	29 Dec 2005	
Albania	23 Nov 2005	
Andorra	11 May 2006	
Antigua and Barbuda		1 Dec 2009 a
Argentina	14 Sep 2005	
Armenia	15 Sep 2005	22 Sep 2010
Australia	14 Sep 2005	
Austria	15 Sep 2005	14 Sep 2006
Azerbaijan	15 Sep 2005	28 Jan 2009
Bahrain		4 May 2010 a
Bangladesh		7 Jun 2007 a
Belarus	15 Sep 2005	13 Mar 2007
Belgium	14 Sep 2005	2 Oct 2009
Benin	15 Sep 2005	
Bosnia and Herzegovina	7 Dec 2005	
Brazil	16 Sep 2005	25 Sep 2009
Bulgaria	14 Sep 2005	
Burkina Faso	21 Sep 2005	
Burundi	29 Mar 2006	24 Sep 2008
Cambodia	7 Dec 2006	
Canada	14 Sep 2005	
Central African Republic		19 Feb 2008 a
Chile	22 Sep 2005	27 Sep 2010
China	14 Sep 2005	8 Nov 2010
Colombia	1 Nov 2006	
Comoros		12 Mar 2007 a
Costa Rica	15 Sep 2005	
Croatia	16 Sep 2005	30 May 2007
Cuba		17 Jun 2009 a
Cyprus	15 Sep 2005	28 Jan 2008
Czech Republic	15 Sep 2005	25 Jul 2006
Democratic Republic of the Congo		23 Sep 2010 a
Denmark [1]	14 Sep 2005	20 Mar 2007
Djibouti	14 Jun 2006	
Dominican Republic		11 Jun 2008 a
Ecuador	15 Sep 2005	
Egypt	20 Sep 2005	
El Salvador	16 Sep 2005	27 Nov 2006
Estonia	14 Sep 2005	
Fiji		15 May 2008 a
Finland	14 Sep 2005	13 Jan 2009 A
France	14 Sep 2005	
Gabon	15 Sep 2005	1 Oct 2007
Georgia		23 Apr 2010 a
Germany	15 Sep 2005	8 Feb 2008
Ghana	6 Nov 2006	

Greece	15 Sep 2005	
Guatemala	20 Sep 2005	
Guinea	16 Sep 2005	
Guinea-Bissau		6 Aug 2008 a
Guyana	15 Sep 2005	
Hungary	14 Sep 2005	12 Apr 2007
Iceland	16 Sep 2005	
India	24 Jul 2006	1 Dec 2006
Ireland	15 Sep 2005	
Israel	27 Dec 2006	
Italy	14 Sep 2005	
Jamaica	5 Dec 2006	
Japan	15 Sep 2005	3 Aug 2007 A
Jordan	16 Nov 2005	
Kazakhstan	16 Sep 2005	31 Jul 2008
Kenya	15 Sep 2005	13 Apr 2006
Kiribati	15 Sep 2005	26 Sep 2008
Kuwait	16 Sep 2005	
Kyrgyzstan	5 May 2006	2 Oct 2007
Latvia	16 Sep 2005	25 Jul 2006
Lebanon	23 Sep 2005	13 Nov 2006
Lesotho	16 Sep 2005	22 Sep 2010
Liberia	16 Sep 2005	
Libyan Arab Jamahiriya	16 Sep 2005	22 Dec 2008
Liechtenstein	16 Sep 2005	25 Sep 2009
Lithuania	16 Sep 2005	19 Jul 2007
Luxembourg	15 Sep 2005	2 Oct 2008
Madagascar	15 Sep 2005	
Malawi		7 Oct 2009 a
Malaysia	16 Sep 2005	
Mali		5 Nov 2009 a
Malta	15 Sep 2005	
Mauritania		28 Apr 2008 a
Mauritius	14 Sep 2005	
Mexico	12 Jan 2006	27 Jun 2006
Monaco	14 Sep 2005	
Mongolia	3 Nov 2005	6 Oct 2006
Montenegro [2]	23 Oct 2006 d	
Morocco	19 Apr 2006	31 Mar 2010
Mozambique	1 May 2006	
Nauru		24 Aug 2010 a
Netherlands	16 Sep 2005	30 Jun 2010 A
New Zealand	14 Sep 2005	
Nicaragua	15 Sep 2005	25 Feb 2009
Niger		2 Jul 2008 a
Norway	16 Sep 2005	
Palau	15 Sep 2005	
Panama	21 Feb 2006	21 Jun 2007
Paraguay	16 Sep 2005	29 Jan 2009
Peru	14 Sep 2005	29 May 2009
Philippines	15 Sep 2005	
Poland	14 Sep 2005	8 Apr 2010
Portugal	21 Sep 2005	
Qatar	16 Feb 2006	
Republic of Korea	16 Sep 2005	
Republic of Moldova	16 Sep 2005	18 Apr 2008
Romania	14 Sep 2005	24 Jan 2007
Russian Federation	14 Sep 2005	29 Jan 2007
Rwanda	6 Mar 2006	
Sao Tome and Principe	19 Dec 2005	
Saudi Arabia	26 Dec 2006	7 Dec 2007
Senegal	21 Sep 2005	
Serbia	15 Sep 2005	26 Sep 2006
Seychelles	7 Oct 2005	
Sierra Leone	14 Sep 2005	

Singapore	1 Dec 2006	
Slovakia	15 Sep 2005	23 Mar 2006
Slovenia	14 Sep 2005	17 Dec 2009
Solomon Islands		24 Sep 2009 a
South Africa	14 Sep 2005	9 May 2007
Spain	14 Sep 2005	22 Feb 2007
Sri Lanka	14 Sep 2005	27 Sep 2007
St. Vincent and the Grenadines		8 Jul 2010 a
Swaziland	15 Sep 2005	
Sweden	14 Sep 2005	
Switzerland	14 Sep 2005	15 Oct 2008
Syrian Arab Republic	14 Sep 2005	
Tajikistan	14 Sep 2005	
Thailand	14 Sep 2005	
The former Yugoslav Republic of Macedonia	16 Sep 2005	19 Mar 2007
Timor-Leste	16 Sep 2005	
Togo	15 Sep 2005	
Tunisia		28 Sep 2010 a
Turkey	14 Sep 2005	
Turkmenistan		28 Mar 2008 a
Ukraine	14 Sep 2005	25 Sep 2007
United Arab Emirates		10 Jan 2008 a
United Kingdom of Great Britain and Northern Ireland	14 Sep 2005	24 Sep 2009
United States of America	14 Sep 2005	
Uruguay	16 Sep 2005	
Uzbekistan		29 Apr 2008 a

Notifications of designation of administrative or judicial authority in accordance with article 7 paragraph 4 of the Convention

(Unless otherwise indicated, the notifications were made upon ratification, acceptance, approval or accession.)

Participant	Sending and Receiving agency	
Austria	Bundesamt für Verfassungsschutz und Terrorismusbekämpfung (BTV) (Federal Agency for State Protection and Counter Terrorism), c/o Federal Ministry of the Interior, Herrengasse 7 A-1014 Vienna, Austria	2 March 2007
Belarus	State Security Agency of the Republic of Belarus, 17, Nezavisimosti av., 220050 Minsk, Republic of Belarus, tel: (+375 17) 219 92 21, fax: (+375 17) 226 00 38 Prosecutor's Office of the Republic of Belarus, 22, Internacionalnaya str., 220050, Minsk, Republic of Belarus, tel: (+375 17) 227 31, fax: (+375 17) 226 42 52 Ministry of the Interior of the Republic of Belarus, 4, Gorodskoy val str., 220050, Minsk, Republic of Belarus, tel: (+375 17) 218 78 95, fax: (+375 17) 229 78 40, Ministry for Emergency Situations of the Republic of Belarus, 5, Revolucionnaya str., 220050, Minsk, Republic of Belarus, tel: (+375 17) 203 88 00, fax: (+375 17) 203 77 81, State Border Guard Committee of the Republic of Belarus, 24, Volodarski str.,220050, Minsk, Republic of Belarus, tel: (+375 17) 206 54 06, fax: (+375 17) 227 70 03, State Customs Committee of the Republic of Belarus, 45/1 Mogilevskaya str., 220007, Minsk, Republic of Belarus, tel: 218-90-00, fax: 218-91-97	13 March 2007
	Agence fédérale de contrôle	

Belgium	nucléaire/Federaal agentschap voor nucleaire controle (Federal Agency for Nuclear Control) Rue Ravenstein 36 B-1000 Brussels Tel: +32 (02) 289.21.11 Fax: +32 (02) 289.21.12 Organe de coordination pour l'analyse de la menace/Coördinatieorgaan voor de dreigingsanalyse/Coordination Unit for Threat Analysis Rue de la Loi 62 B-1040 Brussels Tel: +32 (02) 238.56.11 Fax: +32 (02) 217.57.29 Service Public Fédéral Interieur - Direction générale Centre de crise/Federale Overheidsdienst Binnenlandse Zaken - Algemene Directie Crisiscentrum (Ministry of the Interior - Crisis Centre) Rue Ducale 53 B-1000 Brussels Tel: +32 (02) 506.47.11 Fax: +32 (02) 506.47.09.	
Chile	*La Comisión Chilena de Energía Nuclear, Dirección Ejecutiva, Amunátegui No 95, (56-2) 470 2500; luis.ormazabal@cchen.cl, Santiago, Chile*	
Czech Republic	POLICE OF THE CZECH REPUBLIC, Organized Crime Detection UnitArms Traffic Division, P.O. Box 41 - V215680 Praha 5 - Zbraslav, Czech Republic, Tel.: +420974842420, Fax: +420974842596, e-mail: v2uuoz@mvcr.cz(24-hour phone service: - Operations Center: +420974842690, +420974842694- Cpt. Pavel Osvald: +420603191064- Lt.Col. Jan Svoboda: +420603190355)	25 July 2006
Czech Republic	Police of the Czech Republic Organised Crime Detection Unit Arms Traffic Division P.O. Box 41 – V2 156 80 Praha 5 – Zbraslav Czech Republic Tel.: +420974842420 Fax: +420974842596 e-mail: v2uooz@mvcr.cz Operations Center (24-hour phone service): tel.: +420974842689, +420974842690, +420974842694 fax: +420974842586."	20 April 2009
Georgia	Special Operations Center, the Ministry of Internal Affairs of Georgia Vazha-Pshavela Ave N 72, Tbilissi, Georgia 0186 Tel. +(995 32) 412382 Fax: +(995 32) 301029	
Germany	Bundeskriminalamt (BKA) (Federal Criminal Police Office) Referat ST 23 (Division ST 23) Paul-Dickopf-Str.2 D-53340 Meckenheim Federal Republic of Germany Contactability during working hours (from 7.30 hrs to 16.00 hrs on working days): Referat ST 23phone: +49 2225 89 22588/-23951; fax: +49 2225 89 45455 email: st23@bka.bund.de Contactability outside working hours: Kriminaldauerdienst (Permanent Criminal Police Service) Phone: +49 2225 89 22042/-22043; fax: +49 611 5545424/-5545425	1 August 2008

	email: zd11kddmeckenheim@bka.bund.de."	
Hungary	"International Law Enforcement Cooperation Centre, Message Response and International Telecommunication Division, Tel: + 36-1-443-5557, Fax: + 36-1-443-5815, email: intercom@orfk.police.hu"	13 June 2007
Japan	"Counter International Terrorism Division, Foreign Affairs and Intelligence Department, Security Bureau, National Police Agency, tel: +81-3-3581-0141 (ext. 5961), fax:: +81-3-3591-6919, Public Security Division, Criminal Affairs Bureau, Ministry of Justice tel: +81-3-3592-7059, fax:: +81-3-3592-7066, International Nuclear Cooperation Division, Disarmament, Non-Proliferation and Science Department, Foreign Policy Bureau, Ministry of Foreign Affairs tel: +81-3-5501-8227 fax:: +81-3-5501-8230, Nuclear and Industrial Safety Agency, Ministry of Economy, Trade and Industry tel: +81-3-3501-1087 fax: +81-3-3580-8460Technology and Safety Division, Policy Bureau, Ministry of Land, Infrastructure and Transport, tel: +81-3-5253-8308, fax: + 81-3-5223-1560"	3 August 2007
Latvia	Security Police, Kr. Barona Str. 99a, Riga, LV-1012, Latvia, Phone: +371 7208964, Fax: +371 7273373, E-mail: dp@dp.gov.lv	25 July 2006
Lithuania	"State Security Department (SSD) of the Republic of Lithuania Vytenio St. 1, LT-2009 Vilnius, Republic of Lithuania Phone/Fax: (+370 5) 2312602 E-mail: vsd@vsd.lt."	19 July 2007
Netherlands	The National Public Prosecutor on Counter Terrorism/National Public Prosecutor's Service, P.O. Box 395, 3000 AJ Rotterdam, The Netherlands, Telephone: +31 (0) 10-4966966	30 June 2010
Poland	(Anti-Terrorism Center of the Internal Security Agency), 00-993 Warszawa, ul. Rakowiecka 2a, Phone: +48 22 58 57 178, E-mail: cat@abw.gov.pl	6 May 2010
Saudi Arabia	"Ministry of the Interior and The City of King Abdulaziz for Science and Technology."	
Slovenia	The Ministry of Interior of the Republic of Slovenia, General Police Directorate, Criminal Police Directorate, International Police Cooperation Division	13 January 2010
Switzerland	Central Engagement Department of the Federal Police Office, Nussbaumstrasse 29, CH – 3003 Berne, telephone no. +41 31 322 44 50, fax no. +41 31 322 53 04	15 October 2008
Uzbekistan	National Security Service of the Republic of Uzbekistan	29 April 2008

Declarations and Reservations

(Unless otherwise indicated, the declarations and reservations were made upon ratification,

Argentina

Reservation made upon signature:

Pursuant to article 23, paragraph 2, the Republic of Argentina declares that it does not consider itself bound by paragraph 1 of article 23 and, as a consequence, does not recognize either the compulsory arbitration or the compulsory jurisdiction of the International Court of Justice.

Azerbaijan

Reservation made upon signature and confirmed upon ratification:

"In accordance with paragraph 2 of Article 23, the Republic of Azerbaijan declares that it does not consider itself bound by paragraph 1 of Article 23 of the Convention."

Declaration made upon signature and confirmed upon ratification:

"The Republic of Azerbaijan declares that it will be unable to guarantee compliance with the provisions of the Convention in its territories occupied by the Republic of Armenia until these territories are liberated from that occupation."

Bahrain

Reservation:

The Kingdom of Bahrain does not consider itself bound by the provisions of article 23, paragraph 1, of the Convention.

Belgium

Declaration:

The Kingdom of Belgium declares that only nuclear materials and facilities containing nuclear materials are covered by article 18, paragraph 1(b) and (c).

Cuba

Reservation:

The Republic of Cuba declares, pursuant to article 23, paragraph 2, that it does not consider itself bound by the provisions of paragraph 1 of this article with respect to the settlement of disputes arising between States Parties which, in its view, should be resolved through amicable negotiations, and it also declares that it does not recognize the compulsory jurisdiction of the International Court of Justice.

Declarations:

The Republic of Cuba declares that nothing in article 4, paragraph 2, can be construed as encouraging or condoning the use or threat of use of force in international relations which should, in all circumstances, be strictly governed by the principles of international law and the purposes and principles of the Charter of the United Nations.

Cuba also holds the view that the relations between States should be based on the provisions of General Assembly resolution 2625 (XXV).

Furthermore, State terrorism has historically been a fundamental concern for Cuba, which believes that its total eradication through mutual respect, friendly relations and cooperation among States, and full respect for the principles of sovereignty, territorial integrity, self-determination and non-interference in internal affairs should constitute a priority for the international community.

Therefore, Cuba is firmly of the view that the improper use of the armed forces of a State to commit aggression against another State is not countenanced by this Convention, the purpose of which is specifically to combat one of the most deleterious scourges facing the modern world.

To condone acts of aggression would effectively mean to condone breaches of international law and the Charter, and to set off conflicts with unpredicatable consequences that would undermine the necessary cohesion of the international community in the fight against the real scourges afflicting the world.

Moreover, it is the understanding of the Republic of Cuba that the full extent of the provisions of this Convention will apply to the activities conducted by the armed forces of a state against another in the absence of an armed conflict between the two.

Lastly, Cuba wishes to place on record that a United States naval base is located, against the will of the Cuban people and

Government, in the province of Guantanamo, a portion of Cuban territory over which the Cuban State does not exercise its rightful jurisdiction because of the unlawful occupation of such portion of its territory by the United States of America. Consequently, the Government of Cuba assumes no responsibility for that portion of its territory for the purposes of the Treaty, since it does not know whether the United States of America has installed, possesses, maintains or intends to install nuclear material, including nuclear weapons, on that portion of unlawfully occupied Cuban territory.

Egypt [3]

Reservation made upon signature: التحفظ المصري

1. The Arab Republic of Egypt declares its commitment to article 4 of the Convention provided that the armed forces of a State do not violate the rules and principles of international law in the exercise of their duties under that article, and also provided that the article is not interpreted as excluding the activities of armed forces during an armed conflict from the scope of application of this Convention on the grounds that the activities of States - under certain legal circumstances - are not considered terrorist activities
2. The Arab Republic of Egypt declares that it does not consider itself bound by paragraph 1 of article 23 of the Convention.

Georgia

Reservation:

"... the Government of Georgia makes reservation that it does not consider itself bound by article 23, paragraph 1 of the International Convention for the Suppression of Acts of Nuclear Terrorism to submit to arbitration disputes concerning the interpretation or application of the Convention at the request of one of the State Party. ... "

India

Reservation:

"India does not consider itself bound by the provision of Paragraph (1) of Article 23."

Morocco

Reservation

The Kingdom of Morocco does not consider itself bound by article 23, paragraph 1, which provides that any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation or by other means may be referred to the International Court of Justice by application of one of the concerned parties.

The Kingdom of Morocco declares that a dispute may be referred to the International Court of Justice only by agreement of all concerned parties on a case-by-case basis.

Qatar

Upon signature:

Rerservation :

"... with reservation on the provisions of paragraph (1) of article 23 of the Convention."

Republic of Moldova

Upon ratification

Declaration:

"Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the Convention will be applied only on the territory controlled effectively by the authorities of the Republic of Moldova."

Russian Federation

Declaration:

The position of the Russian Federation is that the provisions of article 16 of the Convention should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offences falling within the scope of the Convention, without detriment to the effectiveness of international cooperation on the questions of extradition and legal assistance.

Saudi Arabia

Reservation:

The Kingdom hereby declares that it does not consider itself bound by article 23, paragraph 1 of the Convention.

St. Vincent and the Grenadines

Reservation:

"... in accordance with Article 23, paragraph 2 of that Convention, the Government of Saint Vincent and the Grenadines declares that Saint Vincent and the Grenadines does not consider itself bound by Article 23, paragraph 1, of the Convention. The Government of Saint Vincent and the Grenadines considers that for the submission of any dispute to arbitration or to the International Court of Justice in terms of Article 23, paragraph 1, the consent of all parties to the dispute is required in each case."

Turkey [4]

Upon signature:

Declaration:

"It is the understanding of the Republic of Turkey that the term international humanitarian law in Article 4(2) of the International Convention for the Suppression of Acts of Nuclear Terrorism, refers to the legal instruments to which Turkey is already party to. The Article should not be interpreted as giving a different status to the armed forces and groups other than the armed forces of a state as currently understood and applied in international law and thereby creating new obligations for the Republic of Turkey."

Reservation:

"Pursuant to Article 23 (2) of the Convention, the Government of the Republic of Turkey declares that it does not consider itself bound by article 23(1) of the Convention."

United Arab Emirates

Reservation:

... the United Arab Emirates, having considered the text of the aforementioned Convention and approved the contents thereof, formally declares its accession to the Convention, subject to a reservation with regard to Article 23, paragraph 1 in respect of arbitration. The United Arab Emirates therefore does not consider itself bound by Article 23, paragraph 1 of the Convention.

Uzbekistan

Declaration:

"Article 16 of the Convention:

The Republic of Uzbekistan proceeds from the fact that the provisions of Article 16 of the Convention should be applied in such a way as to ensure the inevitability of responsibility for the crimes falling within the scope of the Convention, without prejudice to the effectiveness of international cooperation on extradition and legal assistance;

Paragraph 2 of Article 23 of the Convention:

The Republic of Uzbekistan declares that it does not consider itself bound by the provisions of paragraph 1 of article 23 of the Convention."

Objections

(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)

Armenia

Objection to the declaration made by Azerbaijan upon ratification:

"The Republic of Azerbaijan made a declaration on September 15, 2005 with regard to the International Convention for the

Suppression of Acts of Nuclear Terrorism at the time of signature and confirmed when depositing the instrument of ratification.
Given that the Republic of Armenia declares:

The Republic of Azerbaijan deliberately misrepresents the essence of the Nagorno-Karabakh issue, with respect to cause and effect of the conflict. The conflict arose due to the policy of ethnic cleansing by the Republic of Azerbaijan followed by the massive military aggression against the self-determined Nagorno-Karabakh Republic - with the aim to repress the free will of the Nagorno-Karabakh population. As a result, the Republic of Azerbaijan has occupied several territories of the Nagorno-Karabakh Republic."

Notifications made pursuant to article 9 (3)

(Unless otherwise indicated, the notifications were made upon ratification, acceptance, approval or accession.)

Belarus

The Republic of Belarus establishes its jurisdiction over the offences set forth in article 2 in cases envisaged in paragraph 2 of article 9 of the Convention.

Czech Republic

"In accordance with article 9, paragraph 3 of the Convention, the Czech Republic notifies that it has established its jurisdiction over the offences set forth in article 2 of the Convention in cases referred to in article 9, subparagraph 2 (c) and 2 (d) of the Convention."

Georgia

"... In accordance with article 9, paragraph 3 of the Convention, Georgia establishes its jurisdiction over offences provided in article 9, paragraph 2, subparagraphs (a), (b), (c) and (d) of the Convention ..."

Germany

"... with reference to Article 9, paragraph 3 of the Convention, ... the Federal Republic of Germany [makes] the following declaration:

German criminal law may be applicable in the situations specified in article 9, paragraph 2.

1. Article 9, paragraph 2 (a)

Whether German criminal law is applicable depends on the specific circumstances of the individual case.

If offences under the Convention are committed against a German national abroad, German criminal law is applicable in accordance with section 7 (1) of the Criminal Code, provided the act is punishable at the place of its commission or the place of its commission is not subject to any criminal jurisdiction.

If the objective or result of the offence is a relevant act within German territory, section 9 of the Criminal Code may be applicable in certain cases. Pursuant to subsection (1) of section 9, German criminal law is applicable if the perpetrator acted in Germany, or if the result of his action is an element of the offence and occurs on German territory or should occur there according to his understanding. Pursuant to subsection (2), acts committed abroad by an accessory may also be covered if the principal act was committed in Germany or should have been committed there according to the accessory's understanding.

2. Article 9, paragraph 2 (b)

Here, too, whether German criminal law is applicable depends on the specific circumstances of the individual case. German law may be applicable if one of the special circumstances mentioned above with respect to subparagraph (a) or below with respect to subparagraph (c) or (d) is given. In addition to those cases, German criminal law may also be applicable pursuant to section 6, paragraph 9 of the Criminal Code in conjunction with the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of 14 December 1973.

3. Article 9, paragraph 2 (c)

German criminal law is applicable pursuant to section 7 (2) paragraph 2, regardless of the habitual residence of the stateless person, if he/she is found to be in Germany and the act is punishable at the place of its commission or is not subject to any criminal jurisdiction, if the perpetrator has not been extradited although the Extradition Act would permit extradition for such an act, because a request for extradition was not made within a reasonable period, has been rejected, or the extradition is not practicable. German criminal jurisdiction is thus excluded for various types of offences, in particular, minor offences, political offences and military offences (sections 3 (2), 6 and 7 of the Act on International Legal Assistance in Criminal Matters respectively). Stateless persons are foreigners within the meaning of section 7 (2) 2 of the Criminal Code.

4. Article 9, paragraph 2 (d)

German criminal law is applicable pursuant to section 9 (1) of the Criminal Code, if the compulsion is part of the result of the act, and such result is an element of the crime.

5. Article 9, paragraph 2 (e)

Pursuant to section 4 of the Criminal Code, German criminal law is applicable to acts committed in an aircraft which is entitled to fly the federal flag or the national insignia of the Federal Republic of Germany (see also article 9, paragraph 1 (b), of the Convention)."

Hungary

"... the Republic of Hungary establishes its jurisdiction in cases mentioned in Article 9 (2) (b) and (e) of the Convention."

Latvia

"In accordance with paragraph 3 of the Article 9 of the Convention, the Republic of Latvia notifies that it has established its jurisdiction over all the offences enumerated in the paragraph 2 of the Article 9 of the Convention."

Netherlands

"...

Declaration in respect of article 9, paragraph 3 and paragraph 2, under a, of the Convention:

In accordance with Article 9, paragraph 3, and with reference to Article 9, paragraph 2, under a, of the Convention, the Kingdom of the Netherlands, for the Kingdom of Europe, has established jurisdiction over the offences under the Convention when the offence is committed against a Dutch national."

Republic of Moldova

"According to the Article 9 paragraph (3) of the Convention: the Republic of Moldova declares that the offences specified in the Article 2 of the Convention are going to be under its own jurisdiction in cases mentioned in the Article 9 paragraph (2) of this Convention."

Romania

"In accordance with Article 9, paragraph 3 of the Convention, Romania declares that it establishes its jurisdiction over the offences set forth in Article 2, in all cases referred to in Article 9, paragraphs 1 and 2, in accordance with the applicable provisions of the domestic law."

Russian Federation

The Russian Federation declares that in accordance with paragraph 3 of article 9 of the Convention it has established its jurisdiction over the offences set forth in article 2 of the Convention in cases envisaged in paragraphs 1 and 2 of article 9 of the Convention.

Saudi Arabia

The Secretary-General of the United Nations is hereby notified that the Kingdom has decided to establish the jurisdiction provided for in article 9, paragraph 2 of the Convention.

Slovakia

"Pursuant to article 9, paragraph 3, of the International Convention for the Suppression of Acts of Nuclear Terrorism, the Slovak Republic notifies that it has established its jurisdiction in accordance with article 9, paragraph 2, subparagraphs (c), (d) and (e) of the Convention."

Slovenia

17 February 2010

"In accordance with Article 9 (3) of the Convention, the Republic of Slovenia hereby declares, that it has jurisdiction over all cases, defined in paragraphs 1 and 2 of Article 9 of the Convention."

Switzerland

In accordance with article 9, paragraph 3, of the International Convention for the Suppression of Acts of Nuclear Terrorism. Switzerland hereby declares that it establishes its criminal jurisdiction in respect of the offences set forth in article 2 of the Convention in the cases specified in article 9, paragraph 2 (a), (b), (d) and (e) thereof. With respect to article 9, paragraph 2 (c), jurisdiction is established where the offender is present in Switzerland or is extradited to Switzerland ... .

Uzbekistan

Paragraph 3 of Article 9 of the Convention:

The Republic of Uzbekistan notifies that it has established jurisdiction over criminal acts recognized under Article 2 of the Convention, in the cases described in paragraphs 1 and 2 of Article 9 of the Convention.

Notifications of designation of administrative or judicial authority in accordance with article 7 paragraph 4 of the Convention

(Unless otherwise indicated, the notifications were made upon ratification, acceptance, approval or accession.)

Participant	Sending and Receiving agency	
Austria	Bundesamt für Verfassungsschutz und Terrorismusbekämpfung (BTV) (Federal Agency for State Protection and Counter Terrorism), c/o Federal Ministry of the Interior, Herrengasse 7 A-1014 Vienna, Austria	2 March 2007
Belarus	State Security Agency of the Republic of Belarus, 17, Nezavisimosti av., 220050 Minsk, Republic of Belarus, tel: (+375 17) 219 92 21, fax: (+375 17) 226 00 38 Prosecutor's Office of the Republic of Belarus, 22, Internacionalnaya str., 220050, Minsk, Republic of Belarus, tel: (+375 17) 227 31, fax: (+375 17) 226 42 52 Ministry of the Interior of the Republic of Belarus, 4, Gorodskoy val str., 220050, Minsk, Republic of Belarus, tel: (+375 17) 218 78 95, fax: (+375 17) 229 78 40, Ministry for Emergency Situations of the Republic of Belarus, 5, Revolucionnaya str., 220050, Minsk, Republic of Belarus, tel: (+375 17) 203 88 00, fax: (+375 17) 203 77 81, State Border Guard Committee of	13 March 2007

	the Republic of Belarus, 24, Volodarski str.,220050, Minsk, Republic of Belarus, tel: (+375 17) 206 54 06, fax: (+375 17) 227 70 03, State Customs Committee of the Republic of Belarus, 45/1 Mogilevskaya str., 220007, Minsk, Republic of Belarus, tel: 218-90-00, fax: 218-91-97	
Belgium	Agence fédérale de contrôle nucléaire/Federaal agentschap voor nucleaire controle (Federal Agency for Nuclear Control) Rue Ravenstein 36 B-1000 Brussels Tel: +32 (02) 289.21.11 Fax: +32 (02) 289.21.12 Organe de coordination pour l'analyse de la menace/Coördinatieorgaan voor de dreigingsanalyse/Coordination Unit for Threat Analysis Rue de la Loi 62 B-1040 Brussels Tel: +32 (02) 238.56.11 Fax: +32 (02) 217.57.29 Service Public Fédéral Interieur - Direction générale Centre de crise/Federale Overheidsdienst Binnenlandse Zaken - Algemene Directie Crisiscentrum (Ministry of the Interior - Crisis Centre) Rue Ducale 53 B-1000 Brussels Tel: +32 (02) 506.47.11 Fax: +32 (02) 506.47.09.	
Chile	*La Comisión Chilena de Energía Nuclear, Dirección Ejecutiva, Amunátegui No 95, (56-2) 470 2500; luis.ormazabal@cchen.cl, Santiago. Chile*	
Czech Republic	POLICE OF THE CZECH REPUBLIC, Organized Crime Detection UnitArms Traffic Division, P.O. Box 41 - V215680 Praha 5 - Zbraslav, Czech Republic, Tel.: +420974842420, Fax: +420974842596, e-mail: v2uuoz@mvcr.cz(24-hour phone service: - Operations Center: +420974842690, +420974842694- Cpt. Pavel Osvald: +420603191064- Lt.Col. Jan Svoboda: +420603190355)	25 July 2006
Czech Republic	Police of the Czech Republic Organised Crime Detection Unit Arms Traffic Division P.O. Box 41 – V2 156 80 Praha 5 – Zbraslav Czech Republic Tel.: +420974842420 Fax: +420974842596 e-mail: v2uooz@mvcr.cz Operations Center (24-hour phone service): tel.: +420974842689, +420974842690, +420974842694 fax: +420974842586."	20 April 2009
Georgia	Special Operations Center, the Ministry of Internal Affairs of Georgia Vazha-Pshavela Ave N 72, Tbilissi, Georgia 0186 Tel. +(995 32) 412382 Fax: +(995 32) 301029	
	Bundeskriminalamt (BKA) (Federal Criminal Police Office) Referat ST 23 (Division ST 23) Paul-Dickopf-Str.2 D-53340 Meckenheim Federal Republic of Germany Contactability	

Germany	during working hours (from 7.30 hrs to 16.00 hrs on working days): Referat ST 23phone: +49 2225 89 22588/-23951: fax: +49 2225 89 45455 email: st23@bka.bund.de Contactability outside working hours: Kriminaldauerdienst (Permanent Criminal Police Service) Phone: +49 2225 89 22042/-22043: fax: +49 611 5545424/-5545425 email: zd11kddmeckenheim@bka.bund.de."	1 August 2008
Hungary	"International Law Enforcement Cooperation Centre, Message Response and International Telecommunication Division, Tel: + 36-1-443-5557, Fax: + 36-1-443-5815, email: intercom@orfk.police.hu"	13 June 2007
Japan	"Counter International Terrorism Division, Foreign Affairs and Intelligence Department, Security Bureau, National Police Agency, tel: +81-3-3581-0141 (ext. 5961), fax:: +81-3-3591-6919, Public Security Division, Criminal Affairs Bureau, Ministry of Justice tel: +81-3-3592-7059, fax:: +81-3-3592-7066, International Nuclear Cooperation Division, Disarmament, Non-Proliferation and Science Department, Foreign Policy Bureau, Ministry of Foreign Affairs tel: +81-3-5501-8227 fax:: +81-3-5501-8230, Nuclear and Industrial Safety Agency, Ministry of Economy, Trade and Industry tel: +81-3-3501-1087 fax: +81-3-3580-8460Technology and Safety Division, Policy Bureau, Ministry of Land, Infrastructure and Transport, tel: +81-3-5253-8308, fax: + 81-3-5223-1560"	3 August 2007
Latvia	Security Police, Kr. Barona Str. 99a, Riga, LV-1012, Latvia, Phone: +371 7208964, Fax: +371 7273373, E-mail: dp@dp.gov.lv	25 July 2006
Lithuania	"State Security Department (SSD) of the Republic of Lithuania Vytenio St. 1, LT-2009 Vilnius, Republic of Lithuania Phone/Fax: (+370 5) 2312602 E-mail: vsd@vsd.lt."	19 July 2007
Netherlands	The National Public Prosecutor on Counter Terrorism/National Public Prosecutor's Service, P.O. Box 395, 3000 AJ Rotterdam, The Netherlands, Telephone: +31 (0) 10-4966966	30 June 2010
Poland	(Anti-Terrorism Center of the Internal Security Agency), 00-993 Warszawa, ul. Rakowiecka 2a, Phone: +48 22 58 57 178, E-mail: cat@abw.gov.pl	6 May 2010
Saudi Arabia	"Ministry of the Interior and The City of King Abdulaziz for Science and Technology."	
Slovenia	The Ministry of Interior of the Republic of Slovenia, General Police Directorate, Criminal Police Directorate, International Police Cooperation Division	13 January 2010

Switzerland	Central Engagement Department of the Federal Police Office, Nussbaumstrasse 29, CH – 3003 Berne, telephone no. +41 31 322 44 50, fax no. +41 31 322 53 04	15 October 2008
Uzbekistan	National Security Service of the Republic of Uzbekistan	29 April 2008

End Note

1.With a territorial exclusion in regard to the Faroe Islands and Greenland.

2.See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

3.The Secretary-General received from the following States, on the date indicated hereinafter, a communication with regard to the reservation made by Egypt upon signature:

Latvia (6 December 2006):

"The Government of the Republic of Latvia has examined the reservation made by the Arab Republic of Egypt to the International Convention on the Suppression of the Acts of Nuclear Terrorism upon signature to the Convention regarding Article 4.

The Government of the Republic of Latvia is of the opinion that this reservation contradicts to the objectives and purposes of the International Convention to suppress the acts of nuclear terrorism wherever and by whomsoever they may be carried out.

The Government of the Republic of Latvia recalls that customary international law as codified by Vienna Convention on the Law of Treaties, and in particular Article 19 (c), sets out that reservations that are incompatible with the object and purpose of a treaty are not permissible.

The Government of the Republic of Latvia therefore objects to the aforesaid reservation made by the Arab Republic of Egypt to the International Convention for the Suppression of the Financing of Terrorism.

However, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the Arab Republic of Egypt. Thus, the International Convention will become operative without the Arab Republic of Egypt benefiting from its reservation.

Italy (27 March 2007):

"The Permanent Mission of Italy has the honor to refer to the reservation made by the Arab Republic of Egypt to article 4 of the Convention, which would extend the application of the Convention to include the armed forces of a State when they "violate the rules and principles of international law in the exercise of their duties." Such activities would otherwise be excluded from the Convention by article 4. It is the opinion of Italy that Egypt cannot unilaterally extend the obligations of the other StatesParties under the Convention, without their express consent, beyond those set out in the Convention.

Italy wishes to make clear that it does not consent to this expansion of the scope of application of the Convention, and that it does not consider the Egyptian declaration to have any effect on the obligations of Italy under the Convention or on the application of the Convention to the armed forces of Italy.

Italy thus regards the unilateral declaration made by the Government of Egypt as applying only to the obligations of Egypt under the Convention and only to the armed forces of Egypt."

Germany (8 February 2008):

"... [the Federal Republic of Germany makes] the following declaration ... with regard to the reservation made by the Arab Republic of Egypt upon signature:

The Government of the Federal Republic of Germany has carefully examined the declaration, described as a reservation, relating to article 4 ["paragraph 2 and paragraph 3"] of the International Convention for the Suppression of Acts of Nuclear Terrorism made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention.

In this declaration the Government of the Arab Republic of Egypt declares its commitment to article 4 of the Convention provided that the armed forces of a State do not violate the rules and principles of international law in the exercise of their duties under that article, and also provided that the article is not interpreted as excluding the activities of armed forces during an armed conflict from the scope of application of this Convention on the grounds that the activities of States – under certain legal circumstances – are not considered terrorist activities.

However, article 4, paragraph 2, of the Convention states that the activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law, as well as the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention. Moreover, and according to article 4, paragraph 3, the provisions of article 4, paragraph 2, shall not be interpreted as condoning or making lawful otherwise unlawful acts, or precluding prosecution under other laws. The declaration by the Arab Republic of Egypt thus aims to broaden the scope of the Convention.

The Government of the Federal Republic of Germany is of the opinion that the Government of the Arab Republic of Egypt is only entitled to make such a declaration unilaterally for its own armed forces, and it interprets the declaration as having binding effect only on armed forces of the Arab Republic of Egypt. In the view of the Government of the Federal Republic of Germany, such a unilateral declaration cannot apply to the armed forces of other States Parties without their express consent. The Government of the Federal Republic of Germany therefore declares that it does not consent to the Egyptian declaration as so interpreted with regard to any armed forces other than those of the Arab Republic of Egypt, and in particular does not recognize any applicability of the Convention to the armed forces of the Federal Republic of Germany.

The Government of the Federal Republic of Germany also emphasizes that the declaration by the Arab Republic of Egypt has no effect whatsoever on the Federal Republic of Germany's obligations as State Party to the International Convention for the Suppression of Acts of Nuclear Terrorism or on the Convention's applicability to armed forces of the Federal Republic of Germany.

The Government of the Federal Republic of Germany regards the International Convention for the Suppression of Acts of Nuclear Terrorism as entering into force between the Federal Republic of Germany and the Arab Republic of Egypt subject to a unilateral declaration made by the Government of the Arab Republic of Egypt, which relates exclusively to the obligations of the Arab Republic of Egypt and to the armed forces of the Arab Republic of Egypt."

4.The Secretary-General received from the following State, on the date indicated hereinafter, a communication with regard to the declaration and reservation made by Turkey upon signature :

Latvia (22 December 2006):

"The Government of the Republic of Latvia has examined the reservation and declaration made by the Republic of Turkey to the International Convention on the Suppression of the Acts of Nuclear Terrorism upon signature to the Convention regarding Article 4 (2).

The Government of the Republic of Latvia is of the opinion that this declaration is in fact unilateral act that is deemed to limit the scope of the Convention and therefore should be regarded as reservation. Thus, this reservation contradicts to the objectives and purposes of the Convention on the suppression the commitment of the acts of nuclear terrorism wherever and by whomsoever they may be carried out.

Moreover, the Government of the Republic of Latvia considers that the reservation named as a declaration conflicts with the terms of Article 4 (1).

Therefore, the Government of the Republic of Latvia is of the opinion that this declaration reservation contradicts to the objectives and purposes of the International Convention to suppress the acts of nuclear terrorism wherever and by whomsoever they might be carried out.

The Government of the Republic of Latvia recalls that customary international law as codified by Vienna Convention on the Law of Treaties, and in particular Article 19 (c), sets out that reservations that are incompatible with the object and purpose of a treaty are not permissible.

The Government of the Republic of Latvia therefore objects to the aforesaid reservation named as declaration made by the Republic of Turkey to the International Convention on the Suppression of the Acts of Nuclear Terrorism.

However, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the Republic of Turkey. Thus, the International Convention will become operative without the Republic of Turkey benefiting from its reservation."

أهم الإتفاقيـــات الدوليـــة

حول

سلامة النقل الجـوى

اتفاقيـــة ١٩٦٣ الخاصة بالجرائـــم
وبعـض الأفعـــال الأخـــرى
المرتكبـة على متـــن الطائـــــرات

(إتفاقية طوكيـو بشأن أمـن الطيـــران)

دخلت حيـز النفـــاذ فى ٤ ديسمبر ١٩٦٩

سارية بالنسبة لمصـــر إعتباراً من ١٣ مايو ١٩٧٥

MULTILATERAL

Convention on offences and certain other acts committed on board aircraft. Signed at Tokyo on 14 September 1963

Authentic texts: English, French and Spanish.
Registered by the International Civil Aviation Organization on 22 December 1969.

MULTILATÉRAL

Convention relative aux infractions et à certains autres actes survenant à bord des aéronefs. Signée à Tokyo le 14 septembre 1963

Textes authentiques : anglais, français et espagnol.
Enregistrée par l'Organisation de l'aviation civile internationale le 22 décembre 1969.

CONVENTION[1] ON OFFENCES AND CERTAIN OTHER ACTS COMMITTED ON BOARD AIRCRAFT

The States Parties to this Convention

[1] Came into force on 4 December 1969 between the following States, i.e., on the ninetieth day after the date of deposit with the International Civil Aviation Organization of the twelfth instrument of ratification by the said States, in accordance with article 21:

State	*Date of deposit of the instrument*
Portugal	25 November 1964 [a]
Philippines	26 November 1965
Republic of China	28 February 1966
Denmark	17 January 1967 [b]
Norway	17 January 1967 [c]
Sweden	17 January 1967
Italy	18 October 1968
United Kingdom of Great Britain and Northern Ireland (With a declaration.) [d]	29 November 1968
Mexico	18 March 1969 [e]
Upper Volta	6 June 1969
Niger	27 June 1969 [f]
United States of America	5 September 1969

Subsequently, in accordance with article 21, the Convention came into force for the following State on the ninetieth day after the deposit of its instrument of ratification:

State	*Date of deposit of the instrument*
Israel	19 September 1969 (With effect from 18 December 1969).

[a] Signature affixed on 11 March 1964: Ed. Brazão.
[b] Signature affixed on 21 November 1966: Mogens Juhl.
[c] Signature affixed on 19 April 1966: Bredo Stabell.
[d] See p. 254 of this volume for the text of the declaration made upon ratification.
[e] Signature affixed on 24 December 1968: José Rodríguez Torres.
[f] Signature affixed on 14 April 1969: Adamou Mayaki.

Have agreed as follows:

CHAPTER I

SCOPE OF THE CONVENTION

Article 1

1. This Convention shall apply in respect of:

(*a*) offences against penal law;

(*b*) acts which, whether or not they are offences, may or do jeopardize the safety of the aircraft or of persons or property therein or which jeopardize good order and discipline on board.

2. Except as provided in Chapter III, this Convention shall apply in respect of offences committed or acts done by a person on board any aircraft registered in a Contracting State, while that aircraft is in flight or on the surface of the high seas or of any other area outside the territory of any State.

3. For the purposes of this Convention, an aircraft is considered to be in flight from the moment when power is applied for the purpose of take-off until the moment when the landing run ends.

4. This Convention shall not apply to aircraft used in military, customs or police services.

Article 2

Without prejudice to the provisions of Article 4 and except when the safety of the aircraft or of persons or property on board so requires, no provision of this Convention shall be interpreted as authorizing or requiring any action in respect of offences against penal laws of a political nature or those based on racial or religious discrimination.

CHAPTER II

JURISDICTION

Article 3

1. The State of registration of the aircraft is competent to exercise jurisdiction over offences and acts committed on board.

2. Each Contracting State shall take such measures as may be necessary to establish its jurisdiction as the State of registration over offences committed on board aircraft registered in such State.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 4

A Contracting State which is not the State of registration may not interfere with an aircraft in flight in order to exercise its criminal jurisdiction over an offence committed on board except in the following cases:

(*a*) the offence has effect on the territory of such State;

(*b*) the offence has been committed by or against a national or permanent resident of such State;

(*c*) the offence is against the security of such State;

(*d*) the offence consists of a breach of any rules or regulations relating to the flight or manœuvre of aircraft in force in such State;

(*e*) the exercise of jurisdiction is necessary to ensure the observance of any obligation of such State under a multilateral international agreement.

CHAPTER III

POWERS OF THE AIRCRAFT COMMANDER

Article 5

1. The provisions of this Chapter shall not apply to offences and acts committed or about to be committed by a person on board an aircraft in flight in the airspace of the State of registration or over the high seas or any other area outside the territory of any State unless the last point of take-off or the next point of intended landing is situated in a State other than that of registration, or the aircraft subsequently flies in the airspace of a State other than that of registration with such person still on board.

2. Notwithstanding the provisions of Article 1, paragraph 3, an aircraft shall for the purposes of this Chapter, be considered to be in flight at any

time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation. In the case of a forced landing, the provisions of this Chapter shall continue to apply with respect to offences and acts committed on board until competent authorities of a State take over the responsibility for the aircraft and for the persons and property on board.

Article 6

1. The aircraft commander may, when he has reasonable grounds to believe that a person has committed, or is about to commit, on board the aircraft, an offence or act contemplated in Article 1, paragraph 1, impose upon such person reasonable measures including restraint which are necessary:

(*a*) to protect the safety of the aircraft, or of persons or property therein; or

(*b*) to maintain good order and discipline on board; or

(*c*) to enable him to deliver such person to competent authorities or to disembark him in accordance with the provisions of this Chapter.

2. The aircraft commander may require or authorize the assistance of other crew members and may request or authorize, but not require, the assistance of passengers to restrain any person whom he is entitled to restrain. Any crew member or passenger may also take reasonable preventive measures without such authorization when he has reasonable grounds to believe that such action is immediately necessary to protect the safety of the aircraft, or of persons or property therein.

Article 7

1. Measures of restraint imposed upon a person in accordance with Article 6 shall not be continued beyond any point at which the aircraft lands unless:

(*a*) such point is in the territory of a non-Contracting State and its authorities refuse to permit disembarkation of that person or those measures have been imposed in accordance with Article 6, paragraph 1 (*c*) in order to enable his delivery to competent authorities;

(*b*) the aircraft makes a forced landing and the aircraft commander is unable to deliver that person to competent authorities; or

(*c*) that person agrees to onward carriage under restraint.

2. The aircraft commander shall as soon as practicable, and if possible before landing in the territory of a State with a person on board who has been placed under restraint in accordance with the provisions of Article 6, notify the authorities of such State of the fact that a person on board is under restraint and of the reasons for such restraint.

Article 8

1. The aircraft commander may, in so far as it is necessary for the purpose of subparagraph (*a*) or (*b*) of paragraph 1 of Article 6, disembark in the territory of any State in which the aircraft lands any person who he has reasonable grounds to believe has committed, or is about to commit, on board the aircraft an act contemplated in Article 1, paragraph 1 (*b*).

2. The aircraft commander shall report to the authorities of the State in which he disembarks any person pursuant to this Article, the fact of, and the reasons for, such disembarkation.

Article 9

1. The aircraft commander may deliver to the competent authorities of any Contracting State in the territory of which the aircraft lands any person who he has reasonable grounds to believe has committed on board the aircraft an act which, in his opinion, is a serious offence according to the penal law of the State of registration of the aircraft.

2. The aircraft commander shall as soon as practicable and if possible before landing in the territory of a Contracting State with a person on board whom the aircraft commander intends to deliver in accordance with the preceding paragraph, notify the authorities of such State of his intention to deliver such person and the reasons therefor.

3. The aircraft commander shall furnish the authorities to whom any suspected offender is delivered in accordance with the provisions of this Article with evidence and information which, under the law of the State of registration of the aircraft, are lawfully in his possession.

Article 10

For actions taken in accordance with this Convention, neither the

aircraft commander, any other member of the crew, any passenger, the owner or operator of the aircraft, nor the person on whose behalf the flight was performed shall be held responsible in any proceeding on account of the treatment undergone by the person against whom the actions were taken.

CHAPTER IV

UNLAWFUL SEIZURE OF AIRCRAFT

Article 11

1. When a person on board has unlawfully committed by force or threat thereof an act of interference, seizure, or other wrongful exercise of control of an aircraft in flight or when such an act is about to be committed, Contracting States shall take all appropriate measures to restore control of the aircraft to its lawful commander or to preserve his control of the aircraft.

2. In the cases contemplated in the preceding paragraph, the Contracting State in wich the aircraft lands shall permit its passengers and crew to continue their journey as soon as practicable, and shall return the aircraft and its cargo to the persons lawfully entitled to possession.

CHAPTER V

POWERS AND DUTIES OF STATES

Article 12

Any Contracting State shall allow the commander of an aircraft registered in another Contracting State to disembark any person pursuant to Article 8, paragraph 1.

Article 13

1. Any Contracting State shall take delivery of any person whom the aircraft commander delivers pursuant to Article 9, paragraph 1.

2. Upon being satisfied that the circumstances so warrant, any Contracting State shall take custody or other measures to ensure the presence of any person suspected of an act contemplated in Article 11, paragraph 1 and of any person of whom it has taken delivery. The custody and other

measures shall be as provided in the law of that State but may only be continued for such time as is reasonably necessary to enable any criminal or extradition proceedings to be instituted.

3. Any person in custody pursuant to the previous paragraph shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national.

4. Any Contracting State, to which a person is delivered pursuant to Article 9, paragraph 1, or in whose territory an aircraft lands following the commission of an act contemplated in Article 11, paragraph 1, shall immediately make a preliminary enquiry into the facts.

5. When a State, pursuant to this Article, has taken a person into custody, it shall immediately notify the State of registration of the aircraft and the State of nationality of the detained person and, if it considers it advisable, any other interested State of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary enquiry contemplated in paragraph 4 of this Article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

Article 14

1. When any person has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1, or has disembarked after committing an act contemplated in Article 11, paragraph 1, and when such person cannot or does not desire to continue his journey and the State of landing refuses to admit him, that State may, if the person in question is not a national or permanent resident of that State, return him to the territory of the State of which he is a national or permanent resident or to the territory of the State in which he began his journey by air.

2. Neither disembarkation, nor delivery, nor the taking of custody or other measures contemplated in Article 13, paragraphe 2, nor return of the person concerned, shall be considered as admission to the territory of the Contracting State concerned for the purpose of its law relating to entry or admission of persons and nothing in this Convention shall affect the law of a Contracting State relating to the expulsion of persons from its territory.

Article 15

1. Without prejudice to Article 14, any person who has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1, or has disembarked after committing an act contemplated in Article 11, paragraph 1, and who desires to continue his journey shall be at liberty as soon as practicable to proceed to any destination of his choice unless his presence is required by the law of the State of landing for the purpose of extradition or criminal proceedings.

2. Without prejudice to its law as to entry and admission to, and extradition and expulsion from its territory, a Contracting State in whose territory a person has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1 or has disembarked and is suspected of having committed an act contemplated in Article 11, paragraph 1, shall accord to such person treatment which is no less favourable for his protection and security than that accorded to nationals of such Contracting State in like circumstances.

CHAPTER VI

OTHER PROVISIONS

Article 16

1. Offences committed on aircraft registered in a Contracting State shall be treated, for the purpose of extradition, as if they had been committed not only in the place in which they have occurred but also in the territory of the State of registration of the aircraft.

2. Without prejudice to the provisions of the preceding paragraph, nothing in this Convention shall be deemed to create an obligation to grant extradition.

Article 17

In taking any measures for investigation or arrest or otherwise exercising jurisdiction in connection with any offence committed on board an aircraft the Contracting States shall pay due regard to the safety and other interests of air navigation and shall so act as to avoid unnecessary delay of the aircraft, passengers, crew or cargo.

Article 18

If Contracting States establish joint air transport operating organizations or international operating agencies, which operate aircraft not registered in any one State those States shall, according to the circumstances of the case, designate the State among them which, for the purposes of this Convention, shall be considered as the State of registration and shall give notice thereof to the International Civil Aviation Organization which shall communicate the notice to all States Parties to this Convention.

CHAPTER VII

FINAL CLAUSES

Article 19

Until the date on which this Convention comes into force in accordance with the provisions of Article 21, it shall remain open for signature on behalf of any State which at that date is a Member of the United Nations or of any of the Specialized Agencies.

Article 20

1. This Convention shall be subject to ratification by the signatory States in accordance with their constitutional procedures.

2. The instruments of ratification shall be deposited with the International Civil Aviation Organization.

Article 21

1. As soon as twelve of the signatory States have deposited their instruments of ratification of this Convention, it shall come into force between them on the ninetieth day after the date of the deposit of the twelfth instrument of ratification. It shall come into force for each State ratifying thereafter on the ninetieth day after the deposit of its instrument of ratification.

2. As soon as this Convention comes into force, it shall be registered with the Secretary-General of the United Nations by the International Civil Aviation Organization.

Article 22

1. This Convention shall, after it has come into force, be open for accession by any State Member of the United Nations or of any of the Specialized Agencies.

2. The accession of a State shall be effected by the deposit of an instrument of accession with the International Civil Aviation Organization and shall take effect on the ninetieth day after the date of such deposit.

Article 23

1. Any Contracting State may denounce this Convention by notification addressed to the International Civil Aviation Organization.

2. Denunciation shall take effect six months after the date of receipt by the International Civil Aviation Organization of the notification of denunciation.

Article 24

1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention which cannot be settled through negotiation, shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other Contracting States shall not be bound by the preceding paragraph with respect to any Contracting State having made such a reservation.

3. Any Contracting State having made a reservation in accordance with the preceding paragraph may at any time withdraw this reservation by notification to the International Civil Aviation Organization.

Article 25

Except as provided in Article 24 no reservation may be made to this Convention.

Article 26

The International Civil Aviation Organization shall give notice to all States Members of the United Nations or of any of the Specialized Agencies:

(*a*) of any signature of this Convention and the date thereof;

(*b*) of the deposit of any instrument of ratification or accession and the date thereof;

(*c*) of the date on which this Convention comes into force in accordance with Article 21, paragraph 1;

(*d*) of the receipt of any notification of denunciation and the date thereof; and

(*e*) of the receipt of any declaration or notification made under Article 24 and the date thereof.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having been duly authorized, have signed this Convention.

DONE at Tokyo on the fourteenth day of September One Thousand Nine Hundred and Sixty-three in three authentic texts drawn up in the English, French and Spanish languages.

This Convention shall be deposited with the International Civil Aviation Organization with which, in accordance with Article 19, it shall remain open for signature and the said Organization shall send certified copies thereof to all States Members of the United Nations or of any Specialized Agency.

CONVENTION ON OFFENCES AND CERTAIN OTHER ACTS COMMITTED ON BOARD AIRCRAFT SIGNED AT TOKYO ON 14 SEPTEMBER 1963

Entry into force:	Convention entered into force on 4 December 1969.
Status:	185 Parties.

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Afghanistan		15 April 1977	14 July 1977
Albania		1 December 1997	1 March 1998
Algeria (1)		12 October 1995	10 January 1996
Andorra (37)		17 May 2006	15 August 2006
Angola		24 February 1998	25 May 1998
Antigua and Barbuda		19 July 1985	17 October 1985
Argentina		23 July 1971	21 October 1971
Armenia		23 January 2003	23 April 2003
Australia		22 June 1970	20 September 1970
Austria		7 February 1974	8 May 1974
Azerbaijan (1)		5 February 2004	5 May 2004
Bahamas (2)		12 June 1975	10 July 1973
Bahrain (1)(3)		9 February 1984	9 May 1984
Bangladesh		25 July 1978	23 October 1978
Barbados	25 June 1969	4 April 1972	3 July 1972
Belarus (1)(4)		3 February 1988	3 May 1988
Belgium	20 December 1968	6 August 1970	4 November 1970
Belize		19 May 1998	17 August 1998
Benin		30 March 2004	28 June 2004
Bhutan		25 January 1989	25 April 1989
Bolivia		5 July 1979	3 October 1979
Bosnia and Herzegovina (5)		7 March 1995	6 March 1992
Botswana		16 January 1979	16 April 1979
Brazil	28 February 1969	14 January 1970	14 April 1970
Brunei Darussalam		23 May 1986	21 August 1986
Bulgaria (6)		28 September 1989	27 December 1989
Burkina Faso	14 September 1963	6 June 1969	4 December 1969
Burundi		14 July 1971	12 October 1971
Cambodia		22 October 1996	20 January 1997
Cameroon		24 March 1988	22 June 1988
Canada	4 November 1964	7 November 1969	5 February 1970
Cape Verde		4 October 1989	2 January 1990
Central African Republic		11 June 1991	9 September 1991
Chad		30 June 1970	28 September 1970
Chile		24 January 1974	24 April 1974
China (1)(7)(8)(33)		14 November 1978	12 February 1979
Colombia	8 November 1968	6 July 1973	4 October 1973
Comoros		23 May 1991	21 August 1991
Congo	14 September 1963	13 November 1978	11 February 1979
Cook Islands (36)		12 April 2005	11 July 2005
Costa Rica		24 October 1972	22 January 1973
Côte d'Ivoire		3 June 1970	1 September 1970
Croatia (9)		5 October 1993	8 October 1991
Cuba (1)		12 February 2001	13 May 2001
Cyprus		31 May 1972	29 August 1972
Czech Republic (10)		25 March 1993	1 January 1993
Democratic People's Republic of Korea (1)		9 May 1983	7 August 1983

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Democratic Republic of the Congo		20 July 1977	18 October 1977
Denmark	21 November 1966	17 January 1967	4 December 1969
Djibouti		10 June 1992	8 September 1992
Dominican Republic		3 December 1970	3 March 1971
Ecuador	8 July 1969	3 December 1969	3 March 1970
Egypt (1)		12 February 1975	13 May 1975
El Salvador		13 February 1980	13 May 1980
Equatorial Guinea		27 February 1991	28 May 1991
Estonia		31 December 1993	31 March 1994
Ethiopia (1)		27 March 1979	25 June 1979
Fiji (11)		31 January 1972	10 October 1970
Finland	24 October 1969	2 April 1971	1 July 1971
France	11 July 1969	11 September 1970	10 December 1970
Gabon		14 January 1970	14 April 1970
Gambia		4 January 1979	4 April 1979
Georgia		16 June 1994	14 September 1994
Germany (12)	14 September 1963	16 December 1969	16 March 1970
Ghana		2 January 1974	2 April 1974
Greece	21 October 1969	31 May 1971	29 August 1971
Grenada		28 August 1978	26 November 1978
Guatemala (1)	14 September 1963	17 November 1970	15 February 1971
Guinea		18 January 1994	18 April 1994
Guinea-Bissau		17 October 2008	15 January 2009
Guyana		20 December 1972	19 March 1973
Haiti		26 April 1984	25 July 1984
Holy See	14 September 1963		
Honduras (1)		8 April 1987	7 July 1987
Hungary (13)		3 December 1970	3 March 1971
Iceland		16 March 1970	14 June 1970
India (1)		22 July 1975	20 October 1975
Indonesia (1)	14 September 1963	7 September 1976	6 December 1976
Iran (Islamic Republic of)		28 June 1976	29 September 1976
Iraq (14)		15 May 1974	13 August 1974
Ireland	20 October 1964	14 November 1975	12 February 1976
Israel	1 November 1968	19 September 1969	18 December 1969
Italy	14 September 1963	18 October 1968	4 December 1969
Jamaica		16 September 1983	15 December 1983
Japan	14 September 1963	26 May 1970	24 August 1970
Jordan		3 May 1973	1 August 1973
Kazakhstan		18 May 1995	16 August 1995
Kenya		22 June 1970	20 September 1970
Kuwait (15)		27 November 1979	25 February 1980
Kyrgyzstan		28 February 2000	28 May 2000
Lao People's Democratic Republic		23 October 1972	21 January 1973
Latvia		10 June 1997	8 September 1997
Lebanon		11 June 1974	9 September 1974
Lesotho		28 April 1972	27 July 1972
Liberia	14 September 1963	10 March 2003	8 June 2003
Libyan Arab Jamahiriya		21 June 1972	19 September 1972
Liechtenstein		26 February 2001	27 May 2001
Lithuania		21 November 1996	19 February 1997

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Luxembourg		21 September 1972	20 December 1972
Madagascar	2 December 1969	2 December 1969	2 March 1970
Malawi (1)		28 December 1972	28 March 1973
Malaysia		5 March 1985	3 June 1985
Maldives		28 September 1987	27 December 1987
Mali		31 May 1971	29 August 1971
Malta		28 June 1991	26 September 1991
Marshall Islands		15 May 1989	13 August 1989
Mauritania		30 June 1977	28 September 1977
Mauritius		5 April 1983	4 July 1983
Mexico	24 December 1968	18 March 1969	4 December 1969
Monaco		2 June 1983	31 August 1983
Mongolia		24 July 1990	22 October 1990
Montenegro (38)		20 December 2007	3 June 2006
Morocco (16)		21 October 1975	19 January 1976
Mozambique (35)		6 January 2003	6 April 2003
Myanmar		23 May 1996	21 August 1996
Namibia		19 December 2005	19 March 2006
Nauru		17 May 1984	15 August 1984
Nepal		15 January 1979	15 April 1979
Netherlands (17)	9 June 1967	14 November 1969	12 February 1970
New Zealand (36)		12 February 1974	13 May 1974
Nicaragua		24 August 1973	22 November 1973
Niger	14 April 1969	27 June 1969	4 December 1969
Nigeria	29 June 1965	7 April 1970	6 July 1970
Niue		23 June 2009	21 September 2009
Norway	19 April 1966	17 January 1967	4 December 1969
Oman (1)(18)		9 February 1977	10 May 1977
Pakistan	6 August 1965	11 September 1973	10 December 1973
Palau		12 October 1995	10 January 1996
Panama	14 September 1963	16 November 1970	14 February 1971
Papua New Guinea (1)(19)		15 December 1975	16 September 1975
Paraguay		9 August 1971	7 November 1971
Peru (1)		12 May 1978	10 August 1978
Philippines	14 September 1963	26 November 1965	4 December 1969
Poland (20)		19 March 1971	17 June 1971
Portugal (31)(32)	11 March 1964	25 November 1964	4 December 1969
Qatar		6 August 1981	5 December 1981
Republic of Korea	8 December 1965	19 February 1971	20 May 1971
Republic of Moldova		20 June 1997	18 September 1997
Romania (1)		15 February 1974	16 May 1974
Russian Federation (1)(21)		3 February 1988	3 May 1988
Rwanda		17 May 1971	15 August 1971
Saint Lucia		31 October 1983	29 January 1984
Saint Vincent and the Grenadines		18 November 1991	16 February 1992
Samoa		9 July 1998	7 October 1998
Sao Tome and Principe		4 May 2006	2 August 2006
Saudi Arabia	6 April 1967	21 November 1969	19 February 1970
Senegal	20 February 1964	9 March 1972	7 June 1972
Serbia (34)		6 September 2001	27 April 1992
Seychelles		4 January 1979	4 April 1979
Sierra Leone		9 November 1970	7 February 1971

Tokyo Convention
14 September 1963

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Singapore		1 March 1971	30 May 1971
Slovakia (22)		20 March 1995	1 January 1993
Slovenia (23)		18 December 1992	25 June 1991
Solomon Islands (24)		23 March 1982	7 July 1978
South Africa (1)		26 May 1972	24 August 1972
Spain	27 July 1964	1 October 1969	30 December 1969
Sri Lanka		30 May 1978	28 August 1978
Sudan		25 May 2000	23 August 2000
Suriname (25)		10 September 1979	25 November 1975
Swaziland		15 November 1999	13 February 2000
Sweden	14 September 1963	17 January 1967	4 December 1969
Switzerland	31 October 1969	21 December 1970	21 March 1971
Syrian Arab Republic (1)		31 July 1980	29 October 1980
Tajikistan		20 March 1996	18 June 1996
Thailand		6 March 1972	4 June 1972
The former Yugoslav Republic of Macedonia (26)		30 August 1994	17 September 1991
Togo		26 July 1971	24 October 1971
Tonga		13 February 2002	14 May 2002
Trinidad and Tobago		9 February 1972	9 May 1972
Tunisia (1)		25 February 1975	26 May 1975
Turkey		17 December 1975	16 March 1976
Turkmenistan		30 June 1999	28 September 1999
Uganda		25 June 1982	23 September 1982
Ukraine (1)(27)		29 February 1988	29 May 1988
United Arab Emirates (28)		16 April 1981	15 July 1981
United Kingdom (29)(30)	14 September 1963	29 November 1968	4 December 1969
United Republic of Tanzania		12 August 1983	10 November 1983
United States	14 September 1963	5 September 1969	4 December 1969
Uruguay		26 January 1977	26 April 1977
Uzbekistan		31 July 1995	29 October 1995
Vanuatu		31 January 1989	1 May 1989
Venezuela (1)	13 March 1964	4 February 1983	5 May 1983
Viet Nam (1)		10 October 1979	8 January 1980
Yemen		26 September 1986	25 December 1986
Zambia		14 September 1971	13 December 1971
Zimbabwe		8 March 1989	6 June 1989

اتفاقيـــة ١٩٧٠ لمكافحـــة الاستيـــلاء غيـــر المشـــروع على الطائـــرات

(إتفاقية لاهـــاى بشأن اختطـــاف الطائـــرات)

دخلت حيز النفاذ فى ١٤ أكتوبر ١٩٧١

أودعت مصر وثيقة التصديق فى ٢٨ فبراير ١٩٧٥ بتحفظ على الفقرة (١) من المادة (١٢) من الإتفاقية والخاصة بإحالة النزاعات إلى محكمة العدل الدولية.

MULTILATERAL

Convention for the suppression of unlawful seizure of aircraft. Signed at The Hague on 16 December 1970

Authentic texts: English, French, Russian and Spanish.

Registered by the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America on 8 March 1973.

MULTILATÉRAL

Convention pour la répression de la capture illicite d'aéronefs. Signée à La Haye le 16 décembre 1970

Textes authentiques: anglais, français, russe et espagnol.

Enregistrée par l'Union des Républiques socialistes soviétiques, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et les États-Unis d'Amérique le 8 mars 1973.

CONVENTION[1] FOR THE SUPPRESSION OF UNLAWFUL SEIZURE OF AIRCRAFT

PREAMBLE

The States parties to this Convention

CONSIDERING that unlawful acts of seizure or exercise of control of aircraft in flight jeopardize the safety of persons and property, seriously affect the operation of air services, and undermine the confidence of the peoples of the world in the safety of civil aviation;

---

[1] Came into force on 14 October 1971 for the States indicated hereafter, i.e. 30 days following the date (14 September 1971) by which the instruments of ratification of ten signatory States having participated in The Hague Conference had been deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland or the United States of America, designated as the depositary Governments, in accordance with article 13 (3):

State	*Date of deposit of the instrument of ratification at London (L), Moscow (M) or Washington (W)*	
Japan	19 April	1971 (L, M, W)
Bulgaria	19 May	1971 (W)
	26 May	1971 (L)
	23 February	1972 (M)
Ecuador	14 June	1971 (W)
Sweden	7 July	1971 (L, M, W)
Costa Rica	9 July	1971 (W)
Gabon	14 July	1971 (L)
Hungary	13 August	1971 (L, M, W)
Israel	16 August	1971 (L, M, W)
Norway	23 August	1971 (L, M, W)
Switzerland	14 September	1971 (L, M, W)
United States of America	14 September	1971 (W)
	21 September	1971 (L)
	23 September	1971 (M)

Subsequently, the Convention came into force for each of the following States 30 days following the date of deposit of their instrument of ratification or accession, in accordance with article 13 (4):

State	*Date of deposit of the instrument of ratification or accession (a) at London (L), Moscow (M) or Washington (W)*		*Date of entry into force*	
Argentina	11 September	1972 (W)	11 October	1972
	20 September	1972 (M)		
	21 September	1972 (L)		
Australia	9 November	1972 (L, M, W)	9 December	1972
Brazil	14 January	1972 (L, M, W)	13 February	1972
Byelorussian Soviet Socialist Republic	30 December	1971 (M)	29 January	1972
Canada	19 June	1972 (L)	19 July	1972
	20 June	1972 (W)		
	23 June	1972 (M)		
Chad	12 July	1972 (W)	11 August	1972
	12 July	1972a (L)		
	17 August	1972a (M)		
Chile	2 February	1972 (L)	3 March	1972
Cyprus	6 June	1972a (L)	6 July	1972
	8 June	1972a (M)		
	5 July	1972a (W)		
Czechoslovakia	6 April	1972 (L, M, W)	6 May	1972
Dahomey	13 March	1972 (W)	12 April	1972
Denmark	17 October	1972 (L, M, W)	16 November	1972

(Decision reserved as regards the application of the Convention to the Faeroe Islands and Greenland.)

12325

CONSIDERING that the occurence of such acts is a matter of grave concern;

CONSIDERING that, for the purpose of deterring such acts, there is an urgent need to provide appropriate measures for punishment of offenders;

Have agreed as follows:

Article 1. Any person who on board an aircraft in flight:

(*a*) unlawfully, by force or threat thereof, or by any other form of intimidation, seizes, or exercises control of, that aircraft, or attempts to perform any such act, or

(*b*) is an accomplice of a person who performs or attempts to perform any such act

commits an offence (hereinafter referred to as "the offence").

Article 2. Each Contracting State undertakes to make the offence punishable by severe penalties.

Article 3. 1. For the purposes of this Convention, an aircraft is considered to be in flight at any time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation. In the case of a forced landing, the flight shall be deemed to continue until the competent authorities take over the responsibility for the aircraft and for persons and property on board.

State	*Date of deposit of the instrument of ratification or accession (a) at London (L), Moscow (M) or Washington (W)*		*Date of entry into force*	
Fiji	27 July	1972 (W)	26 August	1972
	14 August	1972 (L)		
	29 August	1972 (M)		
Finland	15 December	1971 (L, M, W)	14 January	1972
France	18 September	1972 (L, M, W)	18 October	1972
German Democratic Republic	3 June	1971 (M)	14 October	1971
Iran	25 January	1972 (L, W)	24 February	1972
	2 February	1972 (M)		
Iraq	3 December	1971 (M)	2 January	1972
	4 January	1972 (L)		
Jordan	16 November	1971 (M)	16 December	1971
	18 November	1971 (W)		
	1 December	1971 (L)		
Mali	17 August	1971 a (M)	14 October	1971
	29 September	1971 a (W)		
Mexico	19 July	1972 (L, M, W)	18 August	1972
Mongolia	8 October	1971 (M)	7 November	1971
Niger	15 October	1971 (W)	14 November	1971
Panama	10 March	1972 (W)	9 April	1972
Paraguay	4 February	1972 (W)	5 March	1972
Poland	21 March	1972 (L, M, W)	20 April	1972
Portugal	27 November	1972 (L)	27 December	1972
Republic of China	27 July	1972 (W)	26 August	1972
Romania	10 July	1972 (L, M, W)	9 August	1972
South Africa	30 May	1972 (W)	29 June	1972
Spain	30 October	1972 (W)	29 November	1972
Trinidad and Tobago	31 January	1972 (L)	1 March	1972
Uganda	27 March	1972a (L)	26 April	1972
Ukrainian Soviet Socialist Republic	21 February	1972 (M)	22 March	1972
Union of Soviet Socialist Republics	24 September	1971 (L, M, W)	24 October	1971
United Kingdom of Great Britain and Northern Ireland	22 December	1971 (L, M, W)	21 January	1972
(In respect of the United Kingdom of Great Britain and Northern Ireland and Territories under the territorial sovereignty of the United Kingdom, as well as the British Solomon Islands Protectorate.)				
Yugoslavia	2 October	1972 (L, M, W)	1 November	1972

2. This Convention shall not apply to aircraft used in military, customs or police services.

3. This Convention shall apply only if the place of take-off or the place of actual landing of the aircraft on board which the offence is committed is situated outside the territory of the State of registration of that aircraft; it shall be immaterial whether the aircraft is engaged in an international or domestc flight.

4. In the cases mentioned in article 5, this Convention shall not apply if the place of take-off and the place of actual landing of the aircraft on board which the offence is committed are situated within the territory of the same State where that State is one of those referred to in that Article.

5. Notwithstanding paragraphs 3 and 4 of this article, articles 6, 7, 8 and 10 shall apply whatever the place of take-off or the place of actual landing of the aircraft, if the offender or the alleged offender is found in the territory of a State other than the State of registration of that aircraft.

Article 4. 1. Each Contracting State shall take such measures as may be necessary to establish its jurisdiction over the offence and any other act of violence against passengers or crew committed by the alleged offender in connection with the offence, in the following cases:

(a) when the offence is committed on board an aircraft registered in that State;

(b) when the aircraft on board which the offence is committed lands in its territory with the alleged offender still on board;

(c) when the offence is committed on board an aircraft leased without crew to a lessee who has his principal place of business or, if the lessee has no such place of business, his permanent residence, in that State.

2. Each Contracting State shall likewise take such measures as may be necessary to establish its jurisdiction over the offence in the case where the alleged offender is present in its territory and it does not extradite him pursuant to article 8 to any of the States mentioned in paragraph 1 of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 5. The Contracting States which establish joint air transport operating organizations or international operating agencies, which operate aircraft which are subject to joint or international registration shall, by appropriate means, designate for each aircraft the State among them which shall exercise the jurisdiction and have the attributes of the State of registration for the purpose of this Convention and shall give notice thereof to the International Civil Aviation Organization which shall communicate the notice to all States Parties to this Convention.

Article 6. 1. Upon being satisfied that the circumstances so warrant, any Contracting State in the territory of which the offender or the alleged offender is present, shall take him into custody or take other measures to ensure his presence. The custody and other measures shall be as provided in the law of that State but may only be continued for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2. Such State shall immediately make a preliminary enquiry into the facts.

3. Any person in custody pursuant to paragraph 1 of this article shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national.

4. When a State, pursuant to this article, has taken a person into custody, it shall immediately notify the State of registration of the aircraft, the State mentioned in article 4, paragraph 1 (c), the State of nationality of the detained person and, if it considers it advisable, any other interested States of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary enquiry contemplated in paragraph 2 of this Article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

Article 7. The Contracting State in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution. Those authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State.

Article 8. 1. The offence shall be deemed to be included as an extraditable offence in any extradition treaty existing between Contracting States. Contracting States undertake to include the offence as an extraditable offence in every extradition treaty to be concluded between them.

2. If a Contracting State which makes extradition conditional on the existence of a treaty receives a request for extradition from another Contracting State with which it has no extradition treaty, it may at its option consider this Convention as the legal basis for extradition in respect of the offence. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. Contracting States which do not make extradition conditional on the existence of a treaty shall recognize the offence as an extraditable offence between themselves subject to the conditions provided by the law of the requested State.

4. The offence shall be treated, for the purpose of extradition between Contracting States, as if it had been committed not only in the place in which it occured but also in the territories of the States required to establish their jurisdiction in accordance with article 4, paragraph 1.

Article 9. 1. When any of the acts mentioned in article 1 *(a)* has occurred or is about to occur, Contracting States shall take all appropriate measures to restore control of the aircraft to its lawful commander or to preserve his control of the aircraft.

2. In the cases contemplated by the preceding paragraph, any Contracting State in which the aircraft or its passengers or crew are present shall facilitate the continuation of the journey of the passengers and crew as soon as practicable, and shall without delay return the aircraft and its cargo to the persons lawfully entitled to possession.

Article 10. 1. Contracting States shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offence and other acts mentioned in article 4. The law of the State requested shall apply in all cases.

2. The provisions of paragraph 1 of this article shall not affect obligations under any other treaty, bilateral or multilateral, which governs or will govern, in whole or in part, mutual assistance in criminal matters.

Article 11. Each Contracting State shall in accordance with its national law report to the Council of the International Civil Aviation Organization as promptly as possible any relevant information in its possession concerning:

(a) the circumstances of the offence;

(b) the action taken pursuant to article 9;

(c) the measures taken in relation to the offender or the alleged offender, and, in particular, the results of any extradition proceedings or other legal proceedings.

Article 12. 1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention which cannot be settled through negotiation, shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other Contracting States shall not be bound by the preceding paragraph with respect to any Contracting State having made such a reservation.

3. Any Contracting State having made a reservation in accordance with the preceding paragraph may at any time withdraw this reservation by notification to the Depositary Governments.

Article 13. 1. This Convention shall be open for signature at The Hague on 16 December 1970, by States participating in the International Conference on Air Law held at The Hague from 1 to 16 December 1970 (hereinafter referred to as The Hague Conference). After 31 December 1970, the Convention shall be open to all States for signature in Moscow, London and Washington. Any State which does not sign this Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by the signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, which are hereby designated the Depositary Governments.

3. This Convention shall enter into force thirty days following the date of the deposit of instruments of ratification by ten States signatory to this Convention which participated in The Hague Conference.

4. For other States, this Convention shall enter into force on the date of entry into force of this Convention in accordance with paragraph 3 of this article, or thirty days following the date of deposit of their instruments of ratification or accession, whichever is later.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession, the date of entry into force of this Convention, and other notices.

6. As soon as this Convention comes into force, it shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations and pursuant to Article 83 of the Convention on International Civil Aviation (Chicago, 1944).

Article 14. 1. Any Contracting State may denounce this Convention by written notification to the Depositary Governments.

2. Denunciation shall take effect six months following the date on which notification is received by the Depositary Governments.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorised thereto by their Governments, have signed this Convention.

DONE at The Hague, this sixteenth day of December, one thousand nine hundred and seventy, in three originals, each being drawn up in four authentic texts in the English, French, Russian and Spanish languages.

CONVENTION FOR THE SUPPRESSION
OF UNLAWFUL SEIZURE OF AIRCRAFT
SIGNED AT THE HAGUE ON 16 DECEMBER 1970

Entry into force:	The Convention entered into force on 14 October 1971.
Status:	185 Parties.

This list is based on information received from the depositaries, the Governments of the Russian Federation, the United Kingdom and the United States.

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Afghanistan	16 December 1970	29 August 1979
Albania		21 October 1997 (a)
Algeria (1)		6 October 1995 (a)
Andorra (30)		23 September 2004 (a)
Angola		12 March 1998 (a)
Antigua and Barbuda		22 July 1985 (a)
Argentina (2)	16 December 1970	11 September 1972
Armenia		10 September 2002 (a)
Australia	15 June 1971	9 November 1972
Austria	28 April 1971	11 February 1974
Azerbaijan		3 March 2000 (a)
Bahamas		11 August 1976 (s)
Bahrain (3)		20 February 1984 (a)
Bangladesh		28 June 1978 (a)
Barbados	16 December 1970	2 April 1973
Belarus (3)	16 December 1970	30 December 1971
Belgium	16 December 1970	24 August 1973
Belize		10 June 1998 (a)
Benin	5 May 1971	13 March 1972
Bhutan		28 December 1988 (a)
Bolivia		18 July 1979 (a)
Bosnia and Herzegovina (4)		15 August 1994 (s)
Botswana		28 December 1978 (a)
Brazil (3)	16 December 1970	14 January 1972
Brunei Darussalam		16 April 1986 (a)
Bulgaria (5)	16 December 1970	19 May 1971
Burkina Faso		19 October 1987 (a)
Burundi	17 February 1971	
Cambodia	16 December 1970	8 November 1996
Cameroon		14 April 1988 (a)
Canada	16 December 1970	20 June 1972
Cape Verde		20 October 1977 (a)
Central African Republic		1 July 1991 (a)
Chad	27 September 1971	12 July 1972
Chile	4 June 1971	2 February 1972
China (3)(6)(29)		10 September 1980 (a)
Colombia	16 December 1970	3 July 1973
Comoros		1 August 1991 (a)
Congo		24 November 1989 (a)
Cook Islands		14 April 2005 (a)
Costa Rica	16 December 1970	9 July 1971
Côte d'Ivoire		9 January 1973 (a)
Croatia (7)		8 June 1993 (s)
Cuba (3)		27 November 2001 (a)
Cyprus		5 July 1972 (a)
Czech Republic (8)		14 November 1994 (s)
Democratic People's Republic of Korea		28 April 1983 (a)
Democratic Republic of the Congo		6 July 1977 (a)

The Hague Convention
16 December 1970

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Denmark (9)	16 December 1970	17 October 1972
Djibouti		24 November 1992 (a)
Dominica		26 July 2005 (a)
Dominican Republic	29 June 1971	22 June 1978
Ecuador	19 March 1971	14 June 1971
Egypt (3)		28 February 1975 (a)
El Salvador	16 December 1970	16 January 1973
Equatorial Guinea	4 June 1971	2 January 1991
Estonia		22 December 1993 (a)
Ethiopia	16 December 1970	26 March 1979
Fiji	5 October 1971	27 July 1972
Finland	8 January 1971	15 December 1971
France	16 December 1970	18 September 1972
Gabon	16 December 1970	14 July 1971
Gambia	18 May 1971	28 November 1978
Georgia		20 April 1994 (a)
Germany (10)	16 December 1970	11 October 1974
Ghana	16 December 1970	12 December 1973
Greece	16 December 1970	20 September 1973
Grenada		10 August 1978 (a)
Guatemala (3)	16 December 1970	16 May 1979
Guinea		2 May 1984 (a)
Guinea-Bissau		20 August 1976 (a)
Guyana		21 December 1972 (a)
Haiti		9 May 1984 (a)
Honduras		13 April 1987 (a)
Hungary (11)	16 December 1970	13 August 1971
Iceland		29 June 1973 (a)
India (3)	14 July 1971	12 November 1982
Indonesia (3)	16 December 1970	27 August 1976
Iran (Islamic Republic of)	16 December 1970	25 January 1972
Iraq	22 February 1971	3 December 1971
Ireland		24 November 1975 (a)
Israel	16 December 1970	16 August 1971
Italy	16 December 1970	19 February 1974
Jamaica	16 December 1970	15 September 1983
Japan	16 December 1970	19 April 1971
Jordan	9 June 1971	18 November 1971
Kazakhstan		4 April 1995 (a)
Kenya		11 January 1977 (a)
Kuwait (12)	21 July 1971	25 May 1979
Kyrgyzstan		25 February 2000 (a)
Lao People's Democratic Republic	16 February 1971	6 April 1989
Latvia		23 October 1998 (a)
Lebanon		10 August 1973 (a)
Lesotho		27 July 1978 (a)
Liberia		1 February 1982 (a)
Libyan Arab Jamahiriya (13)		4 October 1978 (a)
Liechtenstein	24 August 1971	23 February 2001
Lithuania		4 December 1996 (a)
Luxembourg	16 December 1970	22 November 1978
Madagascar		18 November 1986 (a)
Malawi (3)		21 December 1972 (a)
Malaysia	16 December 1970	4 May 1985
Maldives		1 September 1987 (a)

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Mali		29 September 1971 (a)
Malta		14 June 1991 (a)
Marshall Islands		31 May 1989 (a)
Mauritania		1 November 1978 (a)
Mauritius		25 April 1983 (a)
Mexico	16 December 1970	19 July 1972
Monaco		3 June 1983 (a)
Mongolia	18 January 1971	8 October 1971
Montenegro (31)		20 December 2006 (s)
Morocco (14)		24 October 1975 (a)
Mozambique (3)		16 January 2003 (a)
Myanmar		22 May 1996 (a)
Namibia		4 November 2005 (a)
Nauru		17 May 1984 (a)
Nepal		11 January 1979 (a)
Netherlands (15)	16 December 1970	27 August 1973
New Zealand	15 September 1971	12 February 1974
Nicaragua		6 November 1973 (a)
Niue		30 September 2009 (a)
Niger	19 February 1971	15 October 1971
Nigeria		3 July 1973 (a)
Norway	9 March 1971	23 August 1971
Oman (3)(16)		2 February 1977 (a)
Pakistan	12 August 1971	28 November 1973
Palau		3 August 1995 (a)
Panama	16 December 1970	10 March 1972
Papua New Guinea (3)		4 December 1975 (s)
Paraguay	30 July 1971	4 February 1972
Peru (3)		28 April 1978 (a)
Philippines	16 December 1970	26 March 1973
Poland (3)(28)	16 December 1970	21 March 1972
Portugal (25)(26)	16 December 1970	27 November 1972
Qatar (3)		26 August 1981 (a)
Republic of Korea (17)		18 January 1973 (a)
Republic of Moldova		21 May 1997 (a)
Romania (3)	13 October 1971	10 July 1972
Russian Federation (3)	16 December 1970	24 September 1971
Rwanda	16 December 1970	3 November 1987
Saint Kitts and Nevis		3 September 2008 (a)
Saint Lucia		8 November 1983 (a)
Saint Vincent and the Grenadines		29 November 1991 (a)
Samoa		9 July 1998 (a)
Sao Tome and Principe		8 May 2006 (a)
Saudi Arabia (3)(18)		14 June 1974 (a)
Senegal	10 May 1971	3 February 1978
Serbia (27)		23 July 2001 (s)
Seychelles		29 December 1978 (a)
Sierra Leone	19 July 1971	13 November 1974
Singapore	8 September 1971	12 April 1978
Slovakia (19)		13 December 1995 (s)
Slovenia (20)		27 May 1992 (s)
South Africa (3)	16 December 1970	30 May 1972
Spain	16 March 1971	30 October 1972
Sri Lanka		30 May 1978 (a)
Sudan		18 January 1979 (a)

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Suriname (21)		27 October 1978 (s)
Swaziland		27 December 1999 (a)
Sweden	16 December 1970	7 July 1971
Switzerland	16 December 1970	14 September 1971
Syrian Arab Republic (3)		10 July 1980 (a)
Tajikistan		29 February 1996 (a)
Thailand	16 December 1970	16 May 1978
The former Yugoslav Republic of Macedonia (22)		7 January 1998 (s)
Togo		9 February 1979 (a)
Tonga		21 February 1977 (a)
Trinidad and Tobago	16 December 1970	31 January 1972
Tunisia (3)		16 November 1981 (a)
Turkey	16 December 1970	17 April 1973
Turkmenistan		25 May 1999 (a)
Uganda		27 March 1972 (a)
Ukraine (3)	16 December 1970	21 February 1972
United Arab Emirates (23)		10 April 1981 (a)
United Kingdom (24)	16 December 1970	22 December 1971
United Republic of Tanzania		9 August 1983 (a)
United States	16 December 1970	14 September 1971
Uruguay		12 January 1977 (a)
Uzbekistan		7 February 1994 (a)
Vanuatu		22 February 1989 (a)
Venezuela	16 December 1970	7 July 1983
Viet Nam (3)		17 September 1979 (a)
Yemen		29 September 1986 (a)
Zambia		3 March 1987 (a)
Zimbabwe		6 February 1989 (a)

(1) Reservation: "The People's Democratic Republic of Algeria does not consider itself bound by the provisions of articles 24.1, 12.1 and 14.1 respectively of the Tokyo, The Hague and Montreal Conventions, which provide for the mandatory referral of any dispute to the International Court of Justice. The People's Democratic Republic of Algeria states that in each case the prior consent of all the parties concerned shall be required in order to refer a dispute to the International Court of Justice."

(2) The instrument of ratification by Argentina contains a declaration which, in translation, reads: "The application of this Convention to territories the sovereignty of which may be disputed among two or more States, whether Parties to the Convention or not, may not be interpreted as alteration, renunciation or waiver of the position upheld by each up to the present time".

(3) Reservation made with respect to paragraph 1 of Article 12 of the Convention.

(4) An instrument of succession by the Government of Bosnia and Herzegovina to the Convention was deposited with the Government of the United States on 15 August 1994, with effect from 6 March 1992.

(5) On 9 May 1994, a Note was deposited with the Government of the United States by the Government of Bulgaria whereby that Government withdraws the reservation made at the time of ratification with regard to paragraph 1 of Article 12 of the Convention. The withdrawal of the reservation took effect on 9 May 1994.

(6) The instrument of accession by the Government of the People's Republic of China contains the following declaration: "The Chinese Government declares illegal and null and void the signature and ratification of the above-mentioned Convention by the Taiwan authorities in the name of China".

(7) An instrument of succession by the Government of Croatia to the Convention was deposited with the Government of the United States on 8 June 1993.

(8) An instrument of succession by the Government of the Czech Republic to the Convention was deposited with the Government of the Russian Federation on 14 November 1994, with effect from 1 January 1993.

(9) Until later decision, the Convention will not be applied to the Faroe Islands or to Greenland.

<u>Note</u>: A notification was received by the Government of the United Kingdom from the Government of the Kingdom of Denmark whereby the latter withdraws, with effect from 1 June 1980, the reservation made at the time of ratification that this Convention should not apply to Greenland.

(10) The German Democratic Republic, which ratified the Convention on 3 June 1971, acceded to the Federal Republic of Germany on 3 October 1990.

(11) On 10 January 1990, instruments were deposited with the Government of the United Kingdom and the Government of the United States by the Government of Hungary whereby that Government withdraws the reservation made at the time of ratification with regard to paragraph 1 of Article 12 of the Convention. The withdrawal of the reservation took effect on 10 January 1990.

(12) Ratification by Kuwait was accompanied by an Understanding stating that ratification of the Convention does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relations will arise between the State of Kuwait and Israel.

(13) The instrument of accession deposited by the Libyan Arab Jamahiriya contains a disclaimer regarding recognition of Israel.

(14) "In case of a dispute, all recourse must be made to the International Court of Justice on the basis of the unanimous consent of the parties concerned."

(15) The Convention cannot enter into force for the Netherlands Antilles until thirty days after the date on which the Government of the Kingdom of the Netherlands shall have notified the depositary Governments that the necessary measures to give effect to the provisions of the Convention have been taken in the Netherlands Antilles.

<u>Note 1</u>: On 11 June 1974, a declaration was deposited with the Government of the United States by the Government of the Kingdom of the Netherlands stating that in the interim the measures required to implement the provisions of the Convention have been taken in the Netherlands Antilles and, consequently, the Convention will enter into force for the Netherlands Antilles on the thirtieth day after the date of deposit of this declaration.

<u>Note 2</u>: By a Note dated 9 January 1986 the Government of the Kingdom of the Netherlands informed the Government of the United States that as of 1 January 1986 the Convention is applicable to the Netherlands Antilles (without Aruba) and to Aruba.

(16) Accession to the said Convention by the Government of the Sultanate of Oman does not mean or imply, and shall not be interpreted as recognition of Israel generally or in the context of this Convention.

(17) The accession by the Government of the Republic of Korea to the present Convention does not, in any way, mean or imply the recognition of any territory or regime which has not been recognized by the Government of the Republic of Korea as a State or Government.

(18) Approval by Saudi Arabia does not mean and could not be interpreted as recognition of Israel generally or in the context of this Convention.

(19) Notification of succession by the Government of Slovakia to the Convention was deposited with the Government of the United States on 13 December 1995, with effect from 1 January 1993.

(20) An instrument of succession by the Government of Slovenia to the Convention was deposited with the Government of the United Kingdom on 27 May 1992.

(21) Notification of succession to the Convention was deposited with the Government of the United States on 27 October 1978, by virtue of the extension of the Convention to Suriname by the Kingdom of the Netherlands prior to independence. The Republic of Suriname attained independence on 25 November 1975.

(22) Notification of succession by the Government of the former Yugoslav Republic of Macedonia to the Convention was deposited with the Government of the United States on 7 January 1998, with effect from 17 November 1991.

(23) "In accepting the said Convention, the Government of the United Arab Emirates takes the view that its acceptance of the said Convention does not in any way imply its recognition of Israel, nor does it oblige to apply the provisions of the Convention in respect of the said Country."

(24) The Convention is ratified "in respect of the United Kingdom of Great Britain and Northern Ireland and Territories under territorial sovereignty of the United Kingdom as well as the British Solomon Islands Protectorate".

(25) By a Note dated 9 August 1999, the Government of the United Kingdom notified the International Civil Aviation Organization of the wish of the Government of Portugal to extend the Convention to the Territory of Macao, the extension taking effect on 19 July 1999.

(26) By a Note dated 27 October 1999, the Government of Portugal advised the Government of the United Kingdom as follows:

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macao signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macao until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macao with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macao."

(27) By a Note dated 17 July 2001, deposited on 23 July 2001 with the Government of the United Kingdom, the Government of the Federal Republic of Yugoslavia declared itself bound, as a successor State to the Socialist Federal Republic of Yugoslavia, by the provisions of, *inter alia*, this Convention, with effect from 27 April 1992, the date of State succession. (The former Socialist Federal Republic of Yugoslavia had signed the Convention on 16 December 1970 and ratified it on 2 October 1972.)
On 4 February 2003, the name of the State of the Federal Republic of Yugoslavia was changed to Serbia and Montenegro.
As of 3 June 2006, Serbia became the continuation State of "Serbia and Montenegro".

(28) On 23 June 1997, Poland deposited with the Government of the United States a notification of withdrawal of the reservation made in accordance with Article 12, paragraph 1 (see note 3).

(29) By a Note dated 29 November 1999, the Government of the People's Republic of China informed the Government of the United States as follows:
"The Convention . . . to which the Government of the People's Republic of China deposited an instrument of accession on 10 September 1980, will apply to the Macao Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:
The reservation made by the Government of the People's Republic of China to paragraph 1 of Article 12 of the Convention will also apply to the Macao Special Administrative Region.
The Government of the People's Republic of China shall assume responsibility for the international rights and obligations arising from the application of the Convention to the Macao Special Administrative Region."

(30) Declaration: "At the time of accession to this Convention, the Principality of Andorra has no airport or an aerodrome, although it does have a heliport and helipads."

(31) In a note dated 12 December 2006, deposited on 20 December 2006, the Government of Montenegro notified the Government of the United Kingdom its succession to this Convention and confirmed that the Convention continues in force for Montenegro with effect from 3 June 2006. See also Note 27 with respect to Serbia.

اتفاقية ١٩٧١ لقمع الأعمال غير المشروعة الموجهة ضد سلامة الطيران المدنى

(اتفاقية مونتريـــــال بشأن أعمال التخريب الموجهة ضد الطيران مثل الهجمات بالقنابل خلال الرحلات الجويـــــة)

دخلت حيــز النفـــاذ فى ٢٦ يناير ١٩٧٣

سارية بالنسبة لمصــر اعتباراً من ٢٠ مايو ١٩٧٥ بتحفظ على الفقرة (١) من المادة (١٤) من الإتفاقية والخاصة بإحالة النزاعات إلى محكمة العدل الدوليـــة.

MULTILATERAL

Convention for the suppression of unlawful acts against the safety of civil aviation (with Final Act of the International Conference on Air Law held under the auspices of the International Civil Aviation Organization at Montreal in September 1971). Concluded at Montreal on 23 September 1971

Authentic texts: English, French, Russian and Spanish.

Registered by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics on 18 July 1975.

MULTILATÉRAL

Convention pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile (avec Acte final de la Conférence internationale de droit aérien tenue sous les auspices de l'Organisation de l'aviation civile internationale à Montréal en septembre 1971). Conclue à Montréal le 23 septembre 1971

Textes authentiques : anglais, français, russe et espagnol.

Enregistrée par les États-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et l'Union des Républiques socialistes soviétiques le 18 juillet 1975.

CONVENTION[1] FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION

The States Parties to the Convention

Considering that unlawful acts against the safety of civil aviation jeopardize the safety of persons and property, seriously affect the operation of air services, and undermine the confidence of the peoples of the world in the safety of civil aviation;

Considering that the occurrence of such acts is a matter of grave concern;

Considering that, for the purpose of deterring such acts, there is an urgent need to provide appropriate measures for punishment of offenders;

Have agreed as follows:

Article 1. 1. Any person commits an offence if he unlawfully and intentionally:

(*a*) performs an act of violence against a person on board an aircraft in flight if that act is likely to endanger the safety of that aircraft; or

(*b*) destroys an aircraft in service or causes damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight; or

---

1 Came into force on 26 January 1973 in respect of the following States, on behalf of which an instrument of ratification or accession had been deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland or the United States of America, i.e. 30 days following the date (27 December 1972) of deposit of the instruments of ratification of ten signatory States having participated in the Montreal Conference, in accordance with article 15(3):

State	*Date of deposit of instrument of ratification or accession (a) at London (L), Moscow (M) or Washington (W)*	
Brazil*	24 July	1972 (L,M,W)
Canada	19 June	1972 (L)
	20 June	1972 (W)
	23 July	1972 (M)
Chad	12 July	1972 (L,W)
	17 August	1972 (M)
German Democratic Republic*	9 July	1972 (M)
Guyana	21 December	1972 *a* (W)
Hungary*	27 December	1972 (L,M,W)
Israel	30 June	1972 (L)
	6 July	1972 (W)
	10 July	1972 (M)
Malawi*	21 December	1972 *a* (W)
Mali	24 August	1972 *a* (W)
Mongolia*	5 September	1972 (W)
	14 September	1972 (L)
	20 October	1972 (M)
Niger	1 September	1972 (W)
Panama	24 April	1972 (W)
Republic of China	27 December	1972 (W)
South Africa*	30 May	1972 (W)
Spain	30 October	1972 (W)
Trinidad and Tobago	9 February	1972 (W)
United States of America	1 November	1972 (W)
	15 November	1972 (L)
	22 November	1972 (M)
Yugoslavia	2 October	1972 (L,M,W)

(Continued on p. 179)

(*c*) places or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to it which renders it incapable of flight, or to cause damage to it which is likely to endanger its safety in flight; or

(*d*) destroys or damages air navigation facilities or interferes with their operation, if any such act is likely to endanger the safety of aircraft in flight; or

(*e*) communicates information which he knows to be false, thereby endangering the safety of an aircraft in flight.

2. Any person also commits an offence if he:

(*a*) attempts to commit any of the offences mentioned in paragraph 1 of this Article; or

(*b*) is an accomplice of a person who commits or attempts to commit any such offence.

(Footnote 1 continued from p. 178)

Subsequently, the Convention came into force for the States listed below 30 days after the date of deposit of their instrument of ratification or accession with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland or the United States of America, in accordance with article 15 (4):

State	*Date of deposit of instrument of ratification or accession (a) at London (L), Moscow (M) or Washington (W)*	
Argentina	26 November	1973 (L,M,W)
(With effect from 25 December 1973)		
Australia	12 July	1973 (L,M,W)
(With effect from 11 August 1973)		
Austria	11 February	1973 (L,M,W)
(With effect from 13 March 1974)		
Bulgaria*	22 February	1973 (L)
(With effect from 24 March 1973)	28 March	1973 (W)
	20 March	1974 (M)
Byelorussian Soviet Socialist Republic*	31 January	1973 (M)
(With effect from 2 March 1973)		
Chile	28 February	1974 *a* (W)
(With effect from 30 March 1974)		
Costa Rica	21 September	1973 (W)
(With effect from 21 October 1973)		
Cyprus	27 July	1973 (L)
(With effect from 14 September 1973)	30 July	1973 (M)
	15 August	1973 (W)
Czechoslovakia*	10 August	1973 (L,M,W)
(With effect from 9 September 1973)		
Denmark	17 January	1973 (L,M,W)
(With effect from 16 February 1973. Decision reserved as regards the application of the Convention to the Faroe Islands and Greenland)		
Dominican Republic	28 November	1973 (W)
(With effect from 28 December 1973)		
Fiji	5 March	1973 (W)
(With effect from 4 April 1973)	18 April	1973 (L)
	28 April	1973 (M)
Finland	13 July	1973 *a* (L,M,W)
(With effect from 12 August 1973)		
Ghana	12 December	1973 *a* (W)
(With effect from 11 January 1974)		
Greece	15 January	1974 (W)
(With effect from 14 February 1974)		
Iceland	29 June	1973 (M)
(With effect from 29 July 1973)	29 June	1973 *a* (L,W)
Iran	10 July	1973 *a* (L,M,W)
(With effect from 9 August 1973)		
Iraq*	10 September	1974 *a* (M)
(With effect from 10 October 1974)		

(Continued on p. 180)

Article 2. For the purposes of this Convention:

(*a*) an aircraft is considered to be in flight at any time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation; in the case of a forced landing, the flight shall be deemed to continue until the competent authorities take over the responsibility for the aircraft and for persons and property on board;

(Footnote 1 continued from p. 179)

State	*Date of deposit of instrument of ratification or accession (a) at London (L), Moscow (M) or Washington (W)*	
Italy (With effect from 21 March 1974)	19 February	1974 (L,M,W)
Ivory Coast (With effect from 8 February 1973)	9 January	1973 *a* (W)
Japan (With effect from 12 July 1974)	12 June	1974 *a* (L,W)
Jordan (With effect from 15 March 1973)	13 February	1973 (L)
	19 February	1973 (M)
	25 April	1973 (W)
Libyan Arab Republic (With effect from 21 March 1974)	19 February	1974 *a* (W)
Mexico (With effect from 12 October 1974)	12 September	1974 (L,M,W)
Netherlands (With effect from 26 September 1973 for the Kingdom in Europe and Surinam, and with a declaration to the effect that the Convention shall apply to the Netherlands Antilles from 11 June 1974)	27 August	1973 (L,M,W)
New Zealand (With effect from 14 March 1974)	12 February	1974 (L,M,W)
Nicaragua (With effect from 6 December 1973)	6 November	1973 (W)
Nigeria (With effect from 2 August 1973)	3 July	1973 *a* (W)
	9 July	1973 *a* (L)
	20 July	1973 *a* (M)
Norway (With effect from 31 August 1973)	1 August	1973 *a* (L,M,W)
Pakistan (With effect from 15 February 1974)	16 January	1974 *a* (M)
	24 January	1974 *a* (L,W)
Paraguay (With effect from 4 April 1974)	5 March	1974 (W)
Philippines (With effect from 25 April 1973)	26 March	1973 (W)
Poland* (With effect from 27 February 1975)	26 January	1975 (L,M)
Portugal (With effect from 14 February 1973)	15 January	1973 (L)
Republic of Korea* (With effect from 1 September 1973)	2 August	1973 *a* (W)
Saudi Arabia* (With effect from 14 July 1974)	14 June	1974 *a* (W)
Sweden (With effect from 9 August 1973)	10 July	1973 *a* (L,M,W)
Ukrainian Soviet Socialist Republic* (With effect from 28 March 1973)	26 February	1973 (M)
Union of Soviet Socialist Republics* (With effect from 21 March 1973)	19 February	1973 (L,M,W)
United Kingdom of Great Britain and Northern Ireland* (With effect from 24 November 1973. In respect of the United Kingdom of Great Britain and Northern Ireland and Territories under the territorial sovereignty of the United Kingdom as well as the British Solomon Islands Protectorate)	25 October	1973 (L,M,W)
United Republic of Cameroon* (With effect from 10 August 1973)	11 July	1973 *a* (W)

* See p. 223 of this volume for the text of the reservations and declarations made upon ratification or accession.

(*b*) an aircraft is considered to be in service from the beginning of the preflight preparation of the aircraft by ground personnel or by the crew for a specific flight until twenty-four hours after any landing; the period of service shall, in any event, extend for the entire period during which the aircraft is in flight as defined in paragraph (*a*) of this Article.

Article 3. Each Contracting State undertakes to make the offences mentioned in Article 1 punishable by severe penalties.

Article 4. 1. This Convention shall not apply to aircraft used in military, customs or police services.

2. In the cases contemplated in subparagraphs (*a*), (*b*), (*c*) and (*e*) of paragraph 1 of Article 1, this Convention shall apply, irrespective of whether the aircraft is engaged in an international or domestic flight, only if:

(*a*) the place of take-off or landing, actual or intended, of the aircraft is situated outside the territory of the State of registration of that aircraft; or

(*b*) the offence is committed in the territory of a State other than the State of registration of the aircraft.

3. Notwithstanding paragraph 2 of this Article, in the cases contemplated in subparagraphs (*a*), (*b*), (*c*) and (*e*) of paragraph 1 of Article 1, this Convention shall also apply if the offender or the alleged offender is found in the territory of a State other than the State of registration of the aircraft.

4. With respect to the States mentioned in Article 9 and in the cases mentioned in subparagraphs (*a*), (*b*), (*c*) and (*e*) of paragraph 1 of Article 1, this Convention shall not apply if the places referred to in subparagraph (*a*) of paragraph 2 of this Article are situated within the territory of the same State where that State is one of those referred to in Article 9, unless the offence is committed or the offender or alleged offender is found in the territory of a State other than that State.

5. In the cases contemplated in subparagraph (*d*) of paragraph 1 of Article 1, this Convention shall apply only if the air navigation facilities are used in international air navigation.

6. The provisions of paragraphs 2, 3, 4 and 5 of this Article shall also apply in the cases contemplated in paragraph 2 of Article 1.

Article 5. 1. Each Contracting State shall take such measures as may be necessary to establish its jurisdiction over the offences in the following cases:

(*a*) when the offence is committed in the territory of that State;

(*b*) when the offence is committed against or on board an aircraft registered in that State;

(*c*) when the aircraft on board which the offence is committed lands in its territory with the alleged offender still on board;

(*d*) when the offence is committed against or on board an aircraft leased without crew to a lessee who has his principal place of business or, if the lessee has no such place of business, his permanent residence, in that State.

2. Each Contracting State shall likewise take such measures as may be necessary to establish its jurisdiction over the offences mentioned in Article 1, paragraph 1 (*a*), (*b*) and (*c*), and in Article 1, paragraph 2, in so far as that paragraph relates to those offences, in the case where the alleged offender is present in its territory and it does not extradite him pursuant to Article 8 to any of the States mentioned in paragraph 1 of this Article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 6. 1. Upon being satisfied that the circumstances so warrant, any Contracting State in the territory of which the offender or the alleged offender is present, shall take him into custody or take other measures to ensure his presence. The custody and other measures shall be as provided in the law of that State but may only be continued for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2. Such State shall immediately make a preliminary enquiry into the facts.

3. Any person in custody pursuant to paragraph 1 of this Article shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national.

4. When a State, pursuant to this Article, has taken a person into custody, it shall immediately notify the States mentioned in Article 5, paragraph 1, the State of nationality of the detained person and, if it considers it advisable, any other interested State of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary enquiry contemplated in paragraph 2 of this Article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

Article 7. The Contracting State in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution. Those authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State.

Article 8. 1. The offences shall be deemed to be included as extraditable offences in any extradition treaty existing between Contracting States. Contracting States undertake to include the offences as extraditable offences in every extradition treaty to be concluded between them.

2. If a Contracting State which makes extradition conditional on the existence of a treaty receives a request for extradition from another Contracting State with which it has no extradition treaty, it may at its option consider this Convention as the legal basis for extradition in respect of the offences. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. Contracting States which do not make extradition conditional on the existence of a treaty shall recognize the offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Each of the offences shall be treated, for the purpose of extradition between Contracting States, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance with Article 5, paragraph 1 (*b*), (*c*) and (*d*).

Article 9. The Contracting States which establish joint air transport operating organizations or international operating agencies, which operate aircraft which are subject to joint or international registration shall, by appropriate means, designate for each aircraft the State among them which shall exercise the jurisdiction and have the attributes of the State of registration for the purpose of this Convention and shall give notice thereof to the International Civil Aviation Organization which shall communicate the notice to all States Parties to this Convention.

Article 10. 1. Contracting States shall, in accordance with international and national law, endeavour to take all practicable measure for the purpose of preventing the offences mentioned in Article 1.

2. When, due to the commission of one of the offences mentioned in Article 1, a flight has been delayed or interrupted, any Contracting State in whose territory the aircraft or passengers or crew are present shall facilitate the continuation of the journey of the passengers and crew as soon as practicable, and shall without delay return the aircraft and its cargo to the persons lawfully entitled to possession.

Article 11. 1. Contracting States shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offences. The law of the State requested shall apply in all cases.

2. The provisions of paragraph 1 of this Article shall not affect obligations under any other treaty, bilateral or multilateral, which governs or will govern, in whole or in part, mutual assistance in criminal matters.

Article 12. Any Contracting State having reason to believe that one of the offences mentioned in Article 1 will be committed shall, in accordance with its national law, furnish any relevant information in its possession to those States which it believes would be the States mentioned in Article 5, paragraph 1.

Article 13. Each Contracting State shall in accordance with its national law report to the Council of the International Civil Aviation Organization as promptly as possible any relevant information in its possession concerning:

(*a*) the circumstances of the offence;
(*b*) the action taken pursuant to Article 10, paragraph 2;
(*c*) the measures taken in relation to the offender or the alleged offender and, in particular, the results of any extradition proceedings or other legal proceedings.

Article 14. 1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention which cannot be settled through negotiation, shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other Contracting States shall not be bound by the preceding paragraph with respect to any Contracting State having made such a reservation.

3. Any Contracting State having made a reservation in accordance with the preceding paragraph may at any time withdraw this reservation by notification to the Depositary Governments.

Article 15. 1. This Convention shall be open for signature at Montreal on 23 September 1971, by States participating in the International Conference on Air Law held at Montreal from 8 to 23 September 1971 (hereinafter referred to as the Montreal Conference). After 10 October 1971, the Convention shall be open to all States for signature in Moscow, London and Washington. Any State which does not sign this Convention before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Convention shall be subject to ratification by the signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, which are hereby designated the Depositary Governments.

3. This Convention shall enter into force thirty days following the date of the deposit of instruments of ratification by ten States signatory to this Convention which participated in the Montreal Conference.

4. For other States, this Convention shall enter into force on the date of entry into force of this Convention in accordance with paragraph 3 of this Article, or thirty days following the date of deposit of their instruments of ratification or accession, whichever is later.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession, the date of entry into force of this Convention, and other notices.

6. As soon as this Convention comes into force, it shall be registered by the Depositary Governments pursuant to Article 102 of the Convention on International Civil Aviation (Chicago, 1944).[1]

Article 16. 1. Any Contracting State may denounce this Convention by written notification to the Depositary Governments.

2. Denunciation shall take effect six months following the date on which notification is received by the Depositary Governments.

In witness whereof the undersigned Plenipotentiaries, being duly authorized thereto by their Governments, have signed this Convention.

Done at Montreal, this twenty-third day of September, one thousand nine hundred and seventy-one, in three originals, each being drawn up in four authentic texts in the English, French, Russian and Spanish languages.

[1] United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21, and vol. 893, p. 117.

CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS
AGAINST THE SAFETY OF CIVIL AVIATION
SIGNED AT MONTREAL ON 23 SEPTEMBER 1971

Entry into force: The Convention entered into force on 26 January 1973.
Status: 188 Parties.
This list is based on information received from the depositaries, the Governments of the Russian Federation, the United Kingdom and the United States.

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Afghanistan (1)		26 September 1984 (a)
Albania		21 October 1997 (a)
Algeria (2)		6 October 1995 (a)
Andorra (31)		22 May 2006 (a)
Angola		12 March 1998 (a)
Antigua and Barbuda		22 July 1985 (a)
Argentina	23 September 1971	26 November 1973
Armenia		10 September 2002 (a)
Australia	12 October 1972	12 July 1973
Austria	13 November 1972	11 February 1974
Azerbaijan		15 March 2000 (a)
Bahamas		27 December 1984 (a)
Bahrain (1)		20 February 1984 (a)
Bangladesh		28 June 1978 (a)
Barbados	23 September 1971	6 August 1976
Belarus (1)	23 September 1971	31 January 1973
Belgium	23 September 1971	13 August 1976
Belize		10 June 1998 (a)
Benin		19 April 2004 (a)
Bhutan		28 December 1988 (a)
Bolivia		18 July 1979 (a)
Bosnia and Herzegovina (3)		15 August 1994 (s)
Botswana	12 October 1972	28 December 1978
Brazil (1)	23 September 1971	24 July 1972
Brunei Darussalam		16 April 1986 (a)
Bulgaria (4)	23 September 1971	28 March 1973
Burkina Faso		19 October 1987 (a)
Burundi	6 March 1972	11 February 1999
Cambodia		8 November 1996 (a)
Cameroon (5)		11 July 1973 (a)
Canada	23 September 1971	19 June 1972
Cape Verde		20 October 1977 (a)
Central African Republic		1 July 1991 (a)
Chad	23 September 1971	12 July 1972
Chile		28 February 1974 (a)
China (1)(6)(30)		10 September 1980 (a)
Colombia		4 December 1974 (a)
Comoros		1 August 1991 (a)
Congo	23 September 1971	19 March 1987
Cook Islands		14 April 2005 (a)
Costa Rica	23 September 1971	21 September 1973
Côte d'Ivoire		9 January 1973 (a)
Croatia (7)		8 June 1993 (s)
Cuba (1)		31 October 2001 (a)
Cyprus	28 November 1972	27 July 1973
Czech Republic (8)		14 November 1994 (s)
Democratic People's Republic of Korea		13 August 1980 (a)
Democratic Republic of the Congo		6 July 1977 (a)
Denmark (9)	17 October 1972	17 January 1973

Montreal Convention
23 September 1971

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Djibouti		24 November 1992 (a)
Dominica		26 July 2005 (a)
Dominican Republic	31 May 1972	28 November 1973
Ecuador		12 January 1977 (a)
Egypt (1)	24 November 1972	20 May 1975
El Salvador		25 September 1979 (a)
Equatorial Guinea		2 January 1991 (a)
Estonia		22 December 1993 (a)
Ethiopia (1)	23 September 1971	26 March 1979
Fiji	21 August 1972	5 March 1973
Finland		13 July 1973 (a)
France (1)		30 June 1976 (a)
Gabon	24 November 1971	29 June 1976
Gambia		28 November 1978 (a)
Georgia		20 April 1994 (a)
Germany (10)	23 September 1971	3 February 1978
Ghana		12 December 1973 (a)
Greece	9 February 1972	15 January 1974
Grenada		10 August 1978 (a)
Guatemala (1)	9 May 1972	19 October 1978
Guinea		2 May 1984 (a)
Guinea-Bissau		20 August 1976 (a)
Guyana		21 December 1972 (a)
Haiti	6 January 1972	9 May 1984
Honduras		13 April 1987 (a)
Hungary (11)	23 September 1971	27 December 1972
Iceland		29 June 1973 (a)
India	11 December 1972	12 November 1982
Indonesia (1)		27 August 1976 (a)
Iran (Islamic Republic of)		10 July 1973 (a)
Iraq		10 September 1974 (a)
Ireland		12 October 1976 (a)
Israel	23 September 1971	30 June 1972
Italy	23 September 1971	19 February 1974
Jamaica	23 September 1971	15 September 1983
Japan		12 June 1974 (a)
Jordan	2 May 1972	13 February 1973
Kazakhstan		4 April 1995 (a)
Kenya		11 January 1977 (a)
Kuwait (12)		23 November 1979 (a)
Kyrgyzstan		25 February 2000 (a)
Lao People's Democratic Republic	1 November 1972	6 April 1989
Latvia		13 April 1997 (a)
Lebanon		23 December 1977 (a)
Lesotho		27 July 1978 (a)
Liberia		1 February 1982 (a)
Libyan Arab Jamahiriya		19 February 1974 (a)
Liechtenstein		23 February 2001 (a)
Lithuania		4 December 1996 (a)
Luxembourg	29 November 1971	18 May 1982
Madagascar		18 November 1986 (a)
Malawi (1)		21 December 1972 (a)
Malaysia		4 May 1985 (a)
Maldives		1 September 1987 (a)
Mali		24 August 1972 (a)
Malta		14 June 1991 (a)

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Marshall Islands		31 May 1989 (a)
Mauritania		1 November 1978 (a)
Mauritius		25 April 1983 (a)
Mexico	25 January 1973	12 September 1974
Micronesia (Federated States of)		19 March 2003 (a)
Monaco		3 June 1983 (a)
Mongolia (1)	18 February 1972	14 September 1972
Montenegro (32)		20 December 2006 (s)
Morocco (13)		24 October 1975 (a)
Mozambique (1)		16 January 2003 (a)
Myanmar		22 May 1996 (a)
Namibia		4 November 2005 (a)
Nauru		17 May 1984 (a)
Nepal		11 January 1979 (a)
Netherlands (14)	23 September 1971	27 August 1973
New Zealand	26 September 1972	12 February 1974
Nicaragua	22 December 1972	6 November 1973
Niger	6 March 1972	1 September 1972
Nigeria		3 July 1973 (a)
Niue		30 September 2009 (a)
Norway		1 August 1973 (a)
Oman (1)(15)		2 February 1977 (a)
Pakistan		24 January 1974 (a)
Palau		3 August 1995 (a)
Panama	18 January 1972	24 April 1972
Papua New Guinea (1)		4 December 1975 (s)
Paraguay	23 January 1973	5 March 1974
Peru (1)		28 April 1978 (a)
Philippines	23 September 1971	26 March 1973
Poland (1)(29)	23 September 1971	28 January 1975
Portugal (26)(27)	23 September 1971	15 January 1973
Qatar (1)		26 August 1981 (a)
Republic of Korea (16)		2 August 1973 (a)
Republic of Moldova		21 May 1997 (a)
Romania (1)	10 July 1972	15 August 1975
Russian Federation (1)	23 September 1971	19 February 1973
Rwanda	26 June 1972	3 November 1987
Saint Kitts and Nevis		10 September 2008 (a)
Saint Lucia		8 November 1983 (a)
Saint Vincent and the Grenadines		29 November 1991 (a)
Samoa		9 July 1998 (a)
Sao Tome and Principe		8 May 2006 (a)
Saudi Arabia (1)(17)		14 June 1974 (a)
Senegal	23 September 1971	3 February 1978
Serbia (28)		23 July 2001 (s)
Seychelles		29 December 1978 (a)
Sierra Leone		20 September 1979 (a)
Singapore	21 November 1972	12 April 1978
Slovakia (18)		6 March 1995 (s)
Slovenia (19)		27 May 1992 (s)
Solomon Islands (20)		13 April 1982 (s)
South Africa (1)	23 September 1971	30 May 1972
Spain	15 February 1972	30 October 1972
Sri Lanka		30 May 1978 (a)
Sudan		18 January 1979 (a)
Suriname (21)		27 October 1978 (s)

State	Date of signature	Date of deposit of instrument of ratification, accession (a) or succession (s)
Swaziland		27 December 1999 (a)
Sweden		10 July 1973 (a)
Switzerland	23 September 1971	17 January 1978
Syrian Arab Republic (1)		10 July 1980 (a)
Tajikistan		29 February 1996 (a)
Thailand		16 May 1978 (a)
The former Yugoslav Republic of Macedonia (22)		4 January 1995 (s)
Togo		9 February 1979 (a)
Tonga		21 February 1977 (a)
Trinidad and Tobago	9 February 1972	9 February 1972
Tunisia (1)		16 November 1981 (a)
Turkey	5 July 1972	23 December 1975
Turkmenistan		25 May 1999 (a)
Uganda		19 July 1982 (a)
Ukraine (1)	23 September 1971	26 January 1973
United Arab Emirates (23)		10 April 1981 (a)
United Kingdom (24)	23 September 1971	25 October 1973
United Republic of Tanzania		9 August 1983 (a)
United States	23 September 1971	1 November 1972
Uruguay		12 January 1977 (a)
Uzbekistan		7 February 1994 (a)
Vanuatu		6 November 1989 (a)
Venezuela (25)	23 September 1971	21 November 1983
Viet Nam		17 September 1979 (a)
Yemen	23 October 1972	29 September 1986
Zambia		3 March 1987 (a)
Zimbabwe		6 February 1989 (a)

NOTES

(1) Reservation made with respect to paragraph 1 of Article 14 of the Convention.

(2) Reservation: "The People's Democratic Republic of Algeria does not consider itself bound by the provisions of articles 24.1, 12.1 and 14.1 respectively of the Tokyo, The Hague and Montreal Conventions, which provide for the mandatory referral of any dispute to the International Court of Justice. The People's Democratic Republic of Algeria states that in each case the prior consent of all the parties concerned shall be required in order to refer a dispute to the International Court of Justice."

(3) Notification of succession by the Government of Bosnia and Herzegovina to the Convention was deposited with the Government of the United States on 15 August 1994, with effect from 6 March 1992.

(4) On 9 May 1994, a Note was deposited with the Government of the United States by the Government of Bulgaria whereby that Government withdraws the reservation made at the time of ratification with regard to paragraph 1 of Article 14 of the Convention. The withdrawal of the reservation took effect on 9 May 1994.

(5) "In accordance with the provisions of the Convention of 23 September 1971, for the Suppression of Unlawful Acts directed against the Security of Civil Aviation, the Government of the United Republic of Cameroon declares that in view of the fact that it does not have any relations with South Africa and Portugal, it has no obligation toward these two countries with regard to the implementation of the stipulations of the Convention."

(6) The instrument of accession by the Government of the People's Republic of China contains the following declaration: "The Chinese Government declares illegal and null and void the signature and ratification of the above-mentioned Convention by the Taiwan authorities in the name of China".

(7) An instrument of succession by the Government of Croatia to the Convention was deposited with the Government of the United States on 8 June 1993, with effect from 8 October 1991.

(8) An instrument of succession by the Government of the Czech Republic to the Convention was deposited with the Government of the Russian Federation on 14 November 1994, with effect from 1 January 1993.

(9) Until later decision, the Convention will not be applied to the Faroe Islands or to Greenland.
Note 1: A notification was received by the Government of the United Kingdom from the Government of the Kingdom of Denmark whereby the latter withdraws, with effect from 1 June 1980, the reservation made at the time of ratification that this Convention should not apply to Greenland.

Note 2: The Government of the United Kingdom subsequently received, on 21 September 1994, a notification from the Government of the Kingdom of Denmark whereby the latter withdraws, with effect from 1 October 1994, the reservation made at the time of ratification that this Convention should not apply to the Faroe Islands.

(10) The German Democratic Republic, which ratified the Convention on 9 June 1972, acceded to the Federal Republic of Germany on 3 October 1990.

(11) On 10 January 1990, instruments were deposited with the Government of the United Kingdom and the Government of the United States by the Government of Hungary whereby that Government withdraws the reservation made at the time of ratification with regard to paragraph 1 of Article 14 of the Convention. The withdrawal of the reservation took effect on 10 January 1990.

(12) It is understood that accession to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, done at Montreal, 1971, does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relation will arise between the State of Kuwait and Israel.

(13) "In case of a dispute, all recourse must be made to the International Court of Justice on the basis of the unanimous consent of the parties concerned".

(14) The Convention cannot enter into force for the Netherlands Antilles until thirty days after the date on which the Government of the Kingdom of the Netherlands shall have notified the depositary Governments that the necessary measures to give effect to the provisions of the Convention have been taken in the Netherlands Antilles.

Note 1: On 11 June 1974, a declaration was deposited with the Government of the United States by the Government of the Kingdom of the Netherlands stating that in the interim the measures required to implement the provisions of the Convention have been taken in the Netherlands Antilles and, consequently, the Convention will enter into force for the Netherlands Antilles on the thirtieth day after the date of deposit of this declaration.

Note 2: By a Note dated 9 January 1986 the Government of the Kingdom of the Netherlands informed the Government of the United States that as of 1 January 1986 the Convention is applicable to the Netherlands Antilles (without Aruba) and to Aruba.

(15) Accession to the said Convention by the Government of the Sultanate of Oman does not mean or imply, and shall not be interpreted as recognition of Israel generally or in the context of this Convention.

(16) The accession by the Government of the Republic of Korea to the present Convention does not in any way mean or imply the recognition of any territory or regime which has not been recognized by the Government of the Republic of Korea as a State or Government.

(17) Approval by Saudi Arabia does not mean and could not be interpreted as recognition of Israel generally or in the context of this Convention.

(18) An instrument of succession by the Government of Slovakia to the Convention was deposited with the Government of the United States on 6 March 1995, with effect from 1 January 1993.

(19) An instrument of succession by the Government of Slovenia to the Convention was deposited with the Government of the United Kingdom on 27 May 1992.

(20) An instrument of succession by the Government of Solomon Islands to the Convention was deposited with the Government of the United Kingdom on 13 April 1982. Solomon Islands attained independence on 7 July 1978.

(21) Notification of succession to the Convention was deposited with the Government of the United States on 27 October 1978, by virtue of the extension of the Convention to Suriname by the Kingdom of the Netherlands prior to independence. The Republic of Suriname attained independence on 25 November 1975.

(22) An instrument of succession by the Government of the former Yugoslav Republic of Macedonia to the Convention was deposited with the Government of the United States on 4 January 1995.

(23) "In accepting the said Convention, the Government of the United Arab Emirates takes the view that its acceptance of the said Convention does not in any way imply its recognition of Israel, nor does it oblige to apply the provisions of the Convention in respect of the said Country."

(24) The Convention is ratified "in respect of the United Kingdom of Great Britain and Northern Ireland and Territories under territorial sovereignty of the United Kingdom as well as the British Solomon Islands Protectorate".

Note: By a Note dated 20 November 1990, the Government of the United Kingdom declared that Anguilla has been included under the ratification of the Convention by that Government with effect from 7 November 1990.

(25) The instrument of ratification by the Government of Venezuela contains the following reservation regarding Articles 4, 7 and 8 of the Convention:

"Venezuela will take into consideration clearly political motives and the circumstances under which offences described in Article 1 of this Convention are committed, in refusing to extradite or prosecute an offender, unless financial extortion or injury to the crew, passengers, or other persons has occurred".

The Government of the United Kingdom of Great Britain and Northern Ireland made the following declaration in a Note dated 6 August 1985 to the Department of State of the Government of the United States:

"The Government of the United Kingdom of Great Britain and Northern Ireland do not regard as valid the reservation made by the Government of the Republic of Venezuela insofar as it purports to limit the obligation under Article 7 of the Convention to submit the case against an offender to the competent authorities of the State for the purpose of prosecution".

With reference to the above declaration by the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of Venezuela, in a Note dated 21 November 1985, informed the Department of State of the Government of the United States of the following:

"The reserve made by the Government of Venezuela to Articles 4, 7 and 8 of the Convention is based on the fact that the principle of asylum is contemplated in Article 116 of the Constitution of the Republic of Venezuela. Article 116 reads: 'The Republic grants asylum to any person subject to persecution or which finds itself in danger, for political reasons, within the conditions and requirements established by the laws and norms of international law.'

It is for this reason that the Government of Venezuela considers that in order to protect this right, which would be diminished by the application without limits of the said articles, it was necessary to request the formulation of the declaration contemplated in Art. 2 of the Law approving the Convention for the Suppression of Unlawful Acts Against the Security (sic) of Civil Aviation".

The Government of Italy made the following declaration in a Note dated 21 November 1985 to the Department of State of the Government of the United States:

"The Government of Italy does not consider as valid the reservation formulated by the Government of the Republic of Venezuela due to the fact that it may be considered as aiming to limit the obligation under Article 7 of the Convention to submit the case against an offender to the competent authorities of the State for the purpose of prosecution".

(26) By a Note dated 9 August 1999, the Government of the United Kingdom notified the International Civil Aviation Organization of the wish of the Government of Portugal to extend the Convention to the Territory of Macao, the extension taking effect on 19 July 1999.

(27) By a Note dated 27 October 1999, the Government of Portugal advised the Government of the United Kingdom as follows:

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macao signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macao until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macao with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macao."

(28) By a Note dated 17 July 2001, deposited on 23 July 2001 with the Government of the United Kingdom, the Government of the Federal Republic of Yugoslavia declared itself bound, as a successor State to the Socialist Federal Republic of Yugoslavia, by the provisions of, *inter alia*, this Convention, with effect from 27 April 1992, the date of State succession. (The former Socialist Federal Republic of Yugoslavia had signed the Convention on 23 September 1971 and ratified it on 2 October 1972.)

On 4 February 2003, the name of the State of the Federal Republic of Yugoslavia was changed to Serbia and Montenegro.

As of 3 June 2006, Serbia became the continuation State of "Serbia and Montenegro".

(29) On 23 June 1997, Poland deposited with the Government of the United States a notification of withdrawal of the reservation made in accordance with Article 14, paragraph 1 (see note 1).

(30) By a Note dated 29 November 1999, the Government of the People's Republic of China informed the Government of the United States as follows:

"The Convention...to which the Government of the People's Republic of China deposited an instrument of accession on 10 September 1980, will apply to the Macao Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:

The reservation made by the Government of the People's Republic of China to paragraph 1 of Article 14 of the Convention will also apply to the Macao Special Administrative Region.

The Government of the People's Republic of China shall assume responsibility for the international rights and obligations arising from the application of the Convention to the Macao Special Administrative Region."

(31) Declaration: "At the time of Andorra's accession to the Convention and to the Protocol, Andorra does not have an airport or an aerodrome in its territory, although it does have heliports and several helipad areas, and no aircraft are registered in its registers."

(32) In a note dated 12 December 2006, deposited on 20 December 2006, the Government of Montenegro notified the Government of the United Kingdom its succession to this Convention and confirmed that the Convention continues in force for Montenegro with effect from 3 June 2006. See also Note 28 with respect to Serbia.

بروتوكول ١٩٨٨ المتعلق بقمع أعمال العنف غير المشروعة فى المطارات التى تخدم الطيران المدنى الدولى،

(التكميلى لاتفاقية منتريال لقمع الأعمال غير المشروعة الموجهة ضد سلامة الطيران المدنى)

أبرم في مونتريال في ٢٤ فبراير ١٩٨٨

ودخل حيز النفاذ فى ٦ أغسطس ١٩٨٩

سارى بالنسبة لمصر إعتباراً من ٢٤ أغسطس ٢٠٠٠

No. 14118. CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION. CONCLUDED AT MONTREAL ON 23 SEPTEMBER 1971[1]

PROTOCOL[2] FOR THE SUPPRESSION OF UNLAWFUL ACTS OF VIOLENCE AT AIRPORTS SERVING INTERNATIONAL CIVIL AVIATION, SUPPLEMENTARY TO THE ABOVE-MENTIONED CONVENTION (WITH FINAL ACT). CONCLUDED AT MONTREAL ON 24 FEBRUARY 1988

Authentic texts: English, French, Russian and Spanish.

Registered by the International Civil Aviation Organization on 22 December 1990.

THE STATES PARTIES TO THIS PROTOCOL

CONSIDERING that unlawful acts of violence which endanger or are likely to endanger the safety of persons at airports serving international civil aviation or which jeopardize the safe operation of such airports undermine the confidence of the peoples of the world in safety at such airports and disturb the safe and orderly conduct of civil aviation for all States;

CONSIDERING that the occurrence of such acts is a matter of grave concern to the international community and that, for the purpose of deterring such acts, there is an urgent need to provide appropriate measures for punishment of offenders;

[1] United Nations, *Treaty Series*, vol. 974, p. 177; for subsequent actions, see references in Cumulative Index No. 17, as well as annex A in volumes 1058, 1107, 1126, 1144, 1195, 1214, 1217 (corrigendum to volume 974), 1259, 1286, 1297, 1308, 1338, 1484, 1491, 1505, 1510, 1511, 1563 and 1579.

[2] Came into force on 6 August 1989 in respect of the following States, on behalf of which an instrument of ratification had been deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America or with the International Civil Aviation Organization, i.e., the thirtieth day after the date of the deposit of the tenth instrument of ratification (7 July 1989), in accordance with article VI (1), provided that the deposit with the International Civil Aviation Organization of the relevant instruments was the effective deposit for the purpose of article VI (1):

State	*Date of deposit of the instrument of ratification*
Byelorussian Soviet Socialist Republic	1 May 1989
German Democratic Republic	31 January 1989
Hungary	7 September 1988
Kuwait	8 March 1989
Marshall Islands	30 May 1989
Peru	7 June 1989
Saudi Arabia	21 February 1989
Turkey	7 July 1989
Union of Soviet Socialist Republics	31 March 1989
United Arab Emirates	9 March 1989

Subsequently, the Protocol came into force for the following States on the thirtieth day after the date of deposit with the International Civil Aviation Organization of their instruments of ratification in accordance with article VI (1):

State	*Date of deposit of the instrument of ratification*
Chile (With effect from 14 September 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)	15 August 1989

(Continued on page 475)

CONSIDERING that it is necessary to adopt provisions supplementary to those of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971,[1] to deal with such unlawful acts of violence at airports serving international civil aviation;

HAVE AGREED AS FOLLOWS:

Article I

This Protocol supplements the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971 (hereinafter referred to as "the Convention"), and, as between the Parties to this Protocol, the Convention and the Protocol shall be read and interpreted together as one single instrument.

Article II

1. In Article 1 of the Convention, the following shall be added as new paragraph 1 *bis*:

"1 *bis*. Any person commits an offence if he unlawfully and intentionally, using any device, substance or weapon:

(a) performs an act of violence against a person at an airport serving international civil aviation which causes or is likely to cause serious injury or death; or

(b) destroys or seriously damages the facilities of an airport serving international civil aviation or aircraft not in service located thereon or disrupts the services of the airport,

if such an act endangers or is likely to endanger safety at that airport."

(Footnote 1 continued from page 474)

Mauritius .... 17 August 1989
(With effect from 16 September 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)

France* .... 6 September 1989
(With effect from 6 October 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)

Denmark .... 23 November 1989
(With a declaration of non-application to the Faeroe Islands. With effect from 23 December 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)

Austria .... 28 December 1989
(With effect from 27 January 1990, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)

* See p. 505 of this volume for the text of the declaration made upon ratification.

[1] United Nations, *Treaty Series*, vol. 974, p. 177.

2. In paragraph 2 (a) of Article 1 of the Convention, the following words shall be inserted after the words "paragraph 1":

"or paragraph 1 *bis*".

Article III

In Article 5 of the Convention, the following shall be added as paragraph 2 *bis*:

"2 *bis*. Each Contracting State shall likewise take such measures as may be necessary to establish its jurisdiction over the offences mentioned in Article 1, paragraph 1 *bis*, and in Article 1, paragraph 2, in so far as that paragraph relates to those offences, in the case where the alleged offender is present in its territory and it does not extradite him pursuant to Article 8 to the State mentioned in paragraph 1 (a) of this Article."

Article IV

This Protocol shall be open for signature at Montreal on 24 February 1988 by States participating in the International Conference on Air Law held at Montreal from 9 to 24 February 1988. After 1 March 1988, the Protocol shall be open for signature to all States in London, Moscow, Washington and Montreal, until it enters into force in accordance with Article VI.

Article V

1. This Protocol shall be subject to ratification by the signatory States.

2. Any State which is not a Contracting State to the Convention may ratify this Protocol if at the same time it ratifies or accedes to the Convention in accordance with Article 15 thereof.

3. Instruments of ratification shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America or with the International Civil Aviation Organization, which are hereby designated the Depositaries.

Article VI

1. As soon as ten of the signatory States have deposited their instruments of ratification of this Protocol, it shall enter into force between them on the thirtieth day after the date of the deposit of the tenth instrument of ratification. It shall enter into force for each State which deposits its instrument of ratification after that date on the thirtieth day after deposit of its instrument of ratification.

2. As soon as this Protocol enters into force, it shall be registered by the Depositaries pursuant to Article 102 of the Charter of the United Nations and pursuant to Article 83 of the Convention on International Civil Aviation (Chicago, 1944).[1]

Article VII

1. This Protocol shall, after it has entered into force, be open for accession by any non-signatory State.

2. Any State which is not a Contracting State to the Convention may accede to this Protocol if at the same time it ratifies or accedes to the Convention in accordance with Article 15 thereof.

3. Instruments of accession shall be deposited with the Depositaries and accession shall take effect on the thirtieth day after the deposit.

Article VIII

1. Any Party to this Protocol may denounce it by written notification addressed to the Depositaries.

2. Denunciation shall take effect six months following the date on which notification is received by the Depositaries.

3. Denunciation of this Protocol shall not of itself have the effect of denunciation of the Convention.

4. Denunciation of the Convention by a Contracting State to the Convention as supplemented by this Protocol shall also have the effect of denunciation of this Protocol.

Article IX

1. The Depositaries shall promptly inform all signatory and acceding States to this Protocol and all signatory and acceding States to the Convention:

(a) of the date of each signature and the date of deposit of each instrument of ratification of, or accession to, this Protocol, and

(b) of the receipt of any notification of denunciation of this Protocol and the date thereof.

2. The Depositaries shall also notify the States referred to in paragraph 1 of the date on which this Protocol enters into force in accordance with Article VI.

[1] United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their Governments, have signed this Protocol.

DONE at Montreal on the twenty-fourth day of February of the year One Thousand Nine Hundred and Eighty-eight, in four originals, each being drawn up in four authentic texts in the English, French, Russian and Spanish languages.

[*For the signatures, see p. 492 of this volume.*]

PROTOCOL
FOR THE SUPPRESSION OF UNLAWFUL ACTS OF VIOLENCE
AT AIRPORTS SERVING INTERNATIONAL CIVIL AVIATION,
SUPPLEMENTARY TO THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS
AGAINST THE SAFETY OF CIVIL AVIATION, DONE AT MONTREAL ON 23 SEPTEMBER 1971
SIGNED AT MONTREAL ON 24 FEBRUARY 1988

Entry into force: The Protocol entered into force on 6 August 1989.

Status: 171 Parties.

This list is based on information received by ICAO or as communicated by the other depositaries, the Governments of the Russian Federation, the United Kingdom and the United States.

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Albania		29 April 2002	29 May 2002
Algeria		6 October 1995	5 November 1995
Andorra (19)		22 May 2006	21 June 2006
Angola		16 January 2008	15 February 2008
Antigua and Barbuda		12 July 2010	11 August 2010
Argentina	24 February 1988	12 February 1992	13 March 1992
Armenia		10 September 2002	10 October 2002
Australia		23 October 1990	22 November 1990
Austria	4 July 1989	28 December 1989	27 January 1990
Azerbaijan		23 March 2000	22 April 2000
Bahamas		2 May 2008	1 June 2008
Bahrain		12 February 1996	13 March 1996
Bangladesh		27 June 2005	27 July 2005
Barbados		12 September 2002	12 October 2002
Belarus	24 February 1988	1 May 1989	6 August 1989
Belgium	15 March 1989	20 April 1999	20 May 1999
Belize		10 June 1998	10 July 1998
Benin		19 April 2004	19 May 2004
Bhutan		26 August 2005	25 September 2005
Bolivia		1 February 2002	3 March 2002
Bosnia and Herzegovina (1)		15 August 1994	6 March 1992
Botswana		30 October 2000	29 November 2000
Brazil	24 February 1988	9 May 1997	8 June 1997
Brunei Darussalam		20 December 2000	19 January 2001
Bulgaria	24 February 1988	26 March 1991	25 April 1991
Burkina Faso		8 December 1998	7 January 1999
Cambodia		8 November 1996	8 December 1996
Cameroon	23 November 1988	13 March 2003	12 April 2003
Canada	24 February 1988	2 August 1993	1 September 1993
Cape Verde		12 September 2002	12 October 2002
Central African Republic		1 July 1991	31 July 1991
Chile	24 February 1988	15 August 1989	14 September 1989
China (2)(18)	24 February 1988	5 March 1999	4 April 1999
Colombia		14 January 2004	13 February 2004
Comoros		10 March 2008	9 April 2008
Congo	13 April 1989		
Cook Islands		14 April 2005	14 May 2005
Costa Rica	24 February 1988	22 April 2003	22 May 2003
Côte d'Ivoire	21 March 1988		
Croatia (3)		8 June 1993	8 October 1991
Cuba		31 October 2001	30 November 2001

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Cyprus		23 April 2002	23 May 2002
Czech Republic (4)		25 March 1993	1 January 1993
Democratic People's Republic of Korea	11 April 1989	19 July 1995	18 August 1995
Democratic Republic of the Congo	24 February 1988		
Denmark (5)	24 February 1988	23 November 1989	23 December 1989
Djibouti		11 June 2004	11 July 2004
Dominica		26 July 2005	25 August 2005
Ecuador		4 March 2004	3 April 2004
Egypt	24 February 1988	25 July 2000	24 August 2000
El Salvador		8 April 1998	8 May 1998
Equatorial Guinea		14 January 2004	13 February 2004
Estonia		22 December 1993	21 January 1994
Ethiopia	24 February 1988	15 December 1999	14 January 2000
Fiji		21 September 1992	21 October 1992
Finland	16 November 1988	3 April 1998	3 May 1998
France (6)	29 March 1988	6 September 1989	6 October 1989
Gabon	20 September 1988	13 August 2003	12 September 2003
Gambia		16 June 2000	16 July 2000
Georgia		15 February 1999	17 March 1999
Germany (7)	24 February 1988	25 April 1994	25 May 1994
Ghana	24 February 1988	15 July 1997	14 August 1997
Greece	18 April 1988	25 April 1991	25 May 1991
Grenada		15 January 2002	14 February 2002
Guatemala		11 October 1994	10 November 1994
Guinea		1 October 1998	31 October 1998
Guinea-Bissau		17 October 2008	16 November 2008
Guyana		19 June 2002	19 July 2002
Honduras		20 January 2004	19 February 2004
Hungary	24 February 1988	7 September 1988	6 August 1989
Iceland	24 February 1988	9 May 1990	8 June 1990
India		22 March 1995	21 April 1995
Indonesia	24 February 1988		
Iran (Islamic Republic of)		14 February 2002	16 March 2002
Iraq		31 January 1990	2 March 1990
Ireland	29 July 1988	26 July 1991	25 August 1991
Israel	24 February 1988	2 April 1993	2 May 1993
Italy	24 February 1988	13 March 1990	12 April 1990
Jamaica	24 February 1988	18 August 2005	17 September 2005
Japan		24 April 1998	24 May 1998
Jordan	30 September 1988	18 September 1992	18 October 1992
Kazakhstan		18 May 1995	17 June 1995
Kenya		5 October 1995	4 November 1995
Kuwait (8)	24 February 1988	8 March 1989	6 August 1989
Kyrgyzstan		28 February 2000	29 March 2000
Lao People's Democratic Republic		7 October 2002	6 November 2002
Latvia		13 April 1997	13 May 1997
Lebanon	24 February 1988	27 May 1996	26 June 1996
Lesotho		8 June 2010	8 July 2010
Liberia	24 February 1988	10 March 2003	9 April 2003
Libyan Arab Jamahiriya		26 July 1996	25 August 1996
Liechtenstein		26 February 2001	28 March 2001

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Lithuania		4 December 1996	3 January 1997
Luxembourg	18 May 1989	14 November 2003	14 December 2003
Madagascar		30 March 1998	29 April 1998
Malawi	24 February 1988		
Malaysia	24 February 1988	8 September 2006	8 October 2006
Maldives		22 March 1999	21 April 1999
Mali		31 October 1990	30 November 1990
Malta		14 June 1991	14 July 1991
Marshall Islands	23 June 1988	30 May 1989	6 August 1989
Mauritania		8 July 2003	7 August 2003
Mauritius	28 June 1989	17 August 1989	16 September 1989
Mexico	24 February 1988	11 October 1990	10 November 1990
Micronesia (Federated States of)		19 March 2003	18 April 2003
Monaco		22 December 1993	21 January 1994
Mongolia		22 September 1999	22 October 1999
Montenegro (20)		20 December 2006	3 June 2006
Morocco	8 July 1988	15 February 2002	17 March 2002
Mozambique		16 January 2003	15 February 2003
Myanmar		22 May 1996	21 June 1996
Namibia		4 November 2005	4 December 2005
Nauru		19 August 2005	18 September 2005
Netherlands (9)	13 April 1988	11 July 1995	10 August 1995
New Zealand	11 April 1989	2 August 1999	1 September 1999
Nicaragua		25 April 2002	25 May 2002
Niger	24 February 1988	23 December 2008	22 January 2009
Nigeria		25 March 2003	24 April 2003
Niue		30 September 2009	30 October 2009
Norway	24 February 1988	29 May 1990	28 June 1990
Oman		27 November 1992	27 December 1992
Pakistan	24 February 1988	26 September 2000	26 October 2000
Palau		12 October 1995	11 November 1995
Panama		10 April 1996	10 May 1996
Papua New Guinea		11 July 2002	10 August 2002
Paraguay		23 July 2002	22 August 2002
Peru	24 February 1988	7 June 1989	6 August 1989
Philippines	25 January 1989	17 December 2003	16 January 2004
Poland	24 February 1988	12 August 2004	11 September 2004
Portugal	24 February 1988	18 December 2001	17 January 2002
Qatar		17 June 2003	17 July 2003
Republic of Korea	24 February 1988	27 June 1990	27 July 1990
Republic of Moldova		20 June 1997	20 July 1997
Romania	24 February 1988	3 September 1998	3 October 1998
Russian Federation	24 February 1988	31 March 1989	6 August 1989
Rwanda		16 May 2002	15 June 2002
Saint Kitts and Nevis (21)		3 September 2008	10 October 2008
Saint Lucia		11 June 1990	11 July 1990
Saint Vincent and the Grenadines	1 December 1988	29 November 1991	29 December 1991
Samoa		9 July 1998	8 August 1998
Sao Tome and Principe		8 May 2006	7 June 2006
Saudi Arabia	24 February 1988	21 February 1989	6 August 1989
Senegal	24 February 1988	24 March 2003	23 April 2003
Serbia (16)		6 September 2001	27 April 1992

State	Date of signature	Date of deposit of instrument of ratification, accession or succession	Effective date
Seychelles		21 May 2004	20 June 2004
Singapore		22 November 1996	22 December 1996
Slovakia (10)		20 March 1995	1 January 1993
Slovenia (11)		27 May 1992	-
South Africa		21 September 1998	21 October 1998
Spain	2 March 1989	8 May 1991	7 June 1991
Sri Lanka	28 October 1988	11 February 1997	13 March 1997
Sudan		15 May 2000	14 June 2000
Suriname		27 March 2003	26 April 2003
Sweden	24 February 1988	26 July 1990	25 August 1990
Switzerland	24 February 1988	9 October 1990	8 November 1990
Syrian Arab Republic (17)		18 July 2002	17 August 2002
Tajikistan		29 February 1996	30 March 1996
Thailand		14 May 1996	13 June 1996
The former Yugoslav Republic of Macedonia (12)		4 January 1995	-
Togo	24 October 1988	9 February 1990	11 March 1990
Tonga		10 December 2002	9 January 2003
Trinidad and Tobago		3 April 2001	3 May 2001
Tunisia		7 June 1994	7 July 1994
Turkey	24 February 1988	7 July 1989	6 August 1989
Turkmenistan		25 May 1999	24 June 1999
Uganda		17 March 1994	16 April 1994
Ukraine	24 February 1988	3 January 1990	2 February 1990
United Arab Emirates	24 February 1988	9 March 1989	6 August 1989
United Kingdom (13)(14)(15)	26 October 1988	15 November 1990	15 December 1990
United Republic of Tanzania		9 March 2004	8 April 2004
United States	24 February 1988	19 October 1994	18 November 1994
Uruguay		3 December 1998	2 January 1999
Uzbekistan		7 February 1994	9 March 1994
Vanuatu		9 November 2005	9 December 2005
Venezuela	24 February 1988		
Viet Nam		25 August 1999	24 September 1999
Yemen		5 January 2007	4 February 2007

أهم الاتفاقيـــات الدوليـــة

حول

سلامة النقل البحــرى

اتفاقيـــة رومـــا لعام ١٩٨٨

لقمع الأعمــال غير المشروعة الموجّهة ضد

سلامة الملاحـــة البحريـــة

(بشأن الأعمال الإرهابية على متن السفــن)

دخلت حيـــز النفـــاذ فى أول مارس ١٩٩٢

صدقــت عليها مــصـــر فى ٨ يناير ١٩٩٣

MULTILATERAL

Convention for the suppression of unlawful acts against the safety of maritime navigation. Concluded at Rome on 10 March 1988

Protocol to the above-mentioned Convention for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf. Concluded at Rome on 10 March 1988

Authentic texts: Arabic, Chinese, English, French, Russian and Spanish.

Registered by the International Maritime Organization on 26 June 1992.

MULTILATÉRAL

Convention pour la répression d'actes illicites contre la sécurité de la navigation maritime. Conclu à Rome le 10 mars 1988

Protocole à la Convention susmentionnée pour la répression d'actes illicites contre la sécurité des plates-formes fixes situées sur le plateau continental. Conclu à Rome le 10 mars 1988

Textes authentiques : arabe, chinois, anglais, français, russe et espagnol.

Enregistrés par l'Organisation maritime internationale le 26 juin 1992.

CONVENTION[1] FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF MARITIME NAVIGATION

The States Parties to this Convention,

HAVING IN MIND the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of friendly relations and co-operation among States,

RECOGNIZING in particular that everyone has the right to life, liberty and security of person, as set out in the Universal Declaration of Human Rights[2] and the International Covenant on Civil and Political Rights[3]

DEEPLY CONCERNED about the world-wide escalation of acts of terrorism in all its forms, which endanger or take innocent human lives, jeopardize fundamental freedoms and seriously impair the dignity of human beings,

CONSIDERING that unlawful acts against the safety of maritime navigation jeopardize the safety of persons and property, seriously affect the operation

---

[1] Came into force on 1 March 1992 in respect of the following States, i.e., 90 days after the date on which at least 15 States had signed it without reservation as to ratification, acceptance or approval, or deposited the requisite instruments of ratification, acceptance, approval or accession with the Secretary-General of the International Maritime Organization, in accordance with article 18 (1):

Participant	*Date of deposit of the instrument of ratification, approval (AA) or accession (a)*
Austria	28 December 1989
China*	20 August 1991
France*	2 December 1991 *AA*
Gambia	1 November 1991 *a*
German Democratic Republic[1], *	14 April 1989 *a*
Germany	6 November 1990 *a*
Hungary	9 November 1989
Italy	26 January 1990
Norway	18 April 1991
Oman	24 September 1990 *a*
Poland	25 June 1991
Seychelles	24 January 1989
Spain	7 July 1989
Sweden	13 September 1990
Trinidad and Tobago	27 July 1989 *a*
United Kingdom of Great Britain and Northern Ireland*	3 May 1991

[1] Prior to the coming into effect of the accession, the German Democratic Republic acceded to the Federal Republic of Germany with effect from 3 October 1990.

* For the texts of the declarations and reservations made upon ratification, approval or accession, see p. 292 of this volume.

[2] United Nations, *Official Records of the General Assembly, Third Session*, Part I, p. 71.

[3] United Nations, *Treaty Series*, vol. 999, p. 171; vol. 1057, p. 407 (rectification of authentic Spanish text); vol. 1059, p. 451 (corrigendum to vol. 999);

of maritime services, and undermine the confidence of the peoples of the world in the safety of maritime navigation,

CONSIDERING that the occurrence of such acts is a matter of grave concern to the international community as a whole,

BEING CONVINCED of the urgent need to develop international co-operation between States in devising and adopting effective and practical measures for the prevention of all unlawful acts against the safety of maritime navigation, and the prosecution and punishment of their perpetrators,

RECALLING resolution 40/61[1] of the General Assembly of the United Nations of 9 December 1985 which, inter alia, "urges all States unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of causes underlying international terrorism and to pay special attention to all situations, including colonialism, racism and situations involving mass and flagrant violations of human rights and fundamental freedoms and those involving alien occupation, that may give rise to international terrorism and may endanger international peace and security",

RECALLING FURTHER that resolution 40/61 "unequivocally condemns, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed, including those which jeopardize friendly relations among States and their security",

RECALLING ALSO that by resolution 40/61, the International Maritime Organization was invited to "study the problem of terrorism aboard or against ships with a view to making recommendations on appropriate measures",

HAVING IN MIND resolution A.584(14)[2] of 20 November 1985, of the Assembly of the International Maritime Organization, which called for development of measures to prevent unlawful acts which threaten the safety of ships and the security of their passengers and crews,

NOTING that acts of the crew which are subject to normal shipboard discipline are outside the purview of this Convention,

[1] United Nations, *Official Records of the General Assembly, Fortieth Session*, Supplement 53 (A/40/53), p. 301.
[2] International Maritime Organization, *Resolutions and Other Decisions, Assembly, Fourteenth Session*, 11-22 November 1985, p. 152.

AFFIRMING the desirability of monitoring rules and standards relating to the prevention and control of unlawful acts against ships and persons on board ships, with a view to updating them as necessary, and, to this effect, taking note with satisfaction of the Measures to Prevent Unlawful Acts against Passengers and Crews on Board Ships, recommended by the Maritime Safety Committee of the International Maritime Organization,

AFFIRMING FURTHER that matters not regulated by this Convention continue to be governed by the rules and principles of general international law,

RECOGNIZING the need for all States, in combating unlawful acts against the safety of maritime navigation, strictly to comply with rules and principles of general international law,

HAVE AGREED as follows:

ARTICLE 1

For the purposes of this Convention, "ship" means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft.

ARTICLE 2

1 This Convention does not apply to:

(a) a warship; or

(b) a ship owned or operated by a State when being used as a naval auxiliary or for customs or police purposes; or

(c) a ship which has been withdrawn from navigation or laid up.

2 Nothing in this Convention affects the immunities of warships and other government ships operated for non-commercial purposes.

ARTICLE 3

1 Any person commits an offence if that person unlawfully and intentionally:

(a) seizes or exercises control over a ship by force or threat thereof or any other form of intimidation; or

(b) performs an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of that ship; or

(c) destroys a ship or causes damage to a ship or to its cargo which is likely to endanger the safe navigation of that ship; or

(d) places or causes to be placed on a ship, by any means whatsoever, a device or substance which is likely to destroy that ship, or cause damage to that ship or its cargo which endangers or is likely to endanger the safe navigation of that ship; or

(e) destroys or seriously damages maritime navigational facilities or seriously interferes with their operation, if any such act is likely to endanger the safe navigation of a ship; or

(f) communicates information which he knows to be false, thereby endangering the safe navigation of a ship; or

(g) injures or kills any person, in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (a) to (f).

2 Any person also commits an offence if that person:

(a) attempts to commit any of the offences set forth in paragraph 1; or

(b) abets the commission of any of the offences set forth in paragraph 1 perpetrated by any person or is otherwise an accomplice of a person who commits such an offence; or

(c) threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (b), (c) and (e), if that threat is likely to endanger the safe navigation of the ship in question.

ARTICLE 4

1 This Convention applies if the ship is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single State, or the lateral limits of its territorial sea with adjacent States.

2 In cases where the Convention does not apply pursuant to paragraph 1, it nevertheless applies when the offender or the alleged offender is found in the territory of a State Party other than the State referred to in paragraph 1.

ARTICLE 5

Each State Party shall make the offences set forth in article 3 punishable by appropriate penalties which take into account the grave nature of those offences.

ARTICLE 6

1 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 3 when the offence is committed:

(a) against or on board a ship flying the flag of the State at the time the offence is committed; or

(b) in the territory of that State, including its territorial sea; or

(c) by a national of that State.

2 A State Party may also establish its jurisdiction over any such offence when:

(a) it is committed by a stateless person whose habitual residence is in that State; or

(b) during its commission a national of that State is seized, threatened, injured or killed; or

(c) it is committed in an attempt to compel that State to do or abstain from doing any act.

3 Any State Party which has established jurisdiction mentioned in paragraph 2 shall notify the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Secretary-General"). If such State Party subsequently rescinds that jurisdiction, it shall notify the Secretary-General.

4 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 3 in cases where the alleged offender is present in its territory and it does not extradite him to any of the States Parties which have established their jurisdiction in accordance with paragraphs 1 and 2 of this article.

5 This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

ARTICLE 7

1 Upon being satisfied that the circumstances so warrant, any State Party in the territory of which the offender or the alleged offender is present shall, in accordance with its law, take him into custody or take other measures to ensure his presence for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2 Such State shall immediately make a preliminary inquiry into the facts, in accordance with its own legislation.

3 Any person regarding whom the measures referred to in paragraph 1 are being taken shall be entitled to:

(a) communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to establish such communication or, if he is a stateless person, the State in the territory of which he has his habitual residence;

(b) be visited by a representative of that State.

4 The rights referred to in paragraph 3 shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or the alleged offender is present, subject to the proviso that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5 When a State Party, pursuant to this article, has taken a person into custody, it shall immediately notify the States which have established jurisdiction in accordance with article 6, paragraph 1 and, if it considers it advisable, any other interested States, of the fact that such person is in custody and of the circumstances which warrant his detention. The State which

makes the preliminary inquiry contemplated in paragraph 2 of this article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

ARTICLE 8

1 The master of a ship of a State Party (the "flag State") may deliver to the authorities of any other State Party (the "receiving State") any person who he has reasonable grounds to believe has committed one of the offences set forth in article 3.

2 The flag State shall ensure that the master of its ship is obliged, whenever practicable, and if possible before entering the territorial sea of the receiving State carrying on board any person whom the master intends to deliver in accordance with paragraph 1, to give notification to the authorities of the receiving State of his intention to deliver such person and the reasons therefor.

3 The receiving State shall accept the delivery, except where it has grounds to consider that the Convention is not applicable to the acts giving rise to the delivery, and shall proceed in accordance with the provisions of article 7. Any refusal to accept a delivery shall be accompanied by a statement of the reasons for refusal.

4 The flag State shall ensure that the master of its ship is obliged to furnish the authorities of the receiving State with the evidence in the master's possession which pertains to the alleged offence.

5 A receiving State which has accepted the delivery of a person in accordance with paragraph 3 may, in turn, request the flag State to accept delivery of that person. The flag State shall consider any such request, and if it accedes to the request it shall proceed in accordance with article 7. If the flag State declines a request, it shall furnish the receiving State with a statement of the reasons therefor.

ARTICLE 9

Nothing in this Convention shall affect in any way the rules of international law pertaining to the competence of States to exercise investigative or enforcement jurisdiction on board ships not flying their flag.

ARTICLE 10

1 The State Party in the territory of which the offender or the alleged offender is found shall, in cases to which article 6 applies, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case without delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offence of a grave nature under the law of that State.

2 Any person regarding whom proceedings are being carried out in connection with any of the offences set forth in article 3 shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided for such proceedings by the law of the State in the territory of which he is present.

ARTICLE 11

1 The offences set forth in article 3 shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

2 If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offences set forth in article 3. Extradition shall be subject to the other conditions provided by the law of the requested State Party.

3 States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 3 as extraditable offences between themselves, subject to the conditions provided by the law of the requested State.

4 If necessary, the offences set forth in article 3 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in a place within the jurisdiction of the State Party requesting extradition.

5 A State Party which receives more than one request for extradition from States which have established jurisdiction in accordance with article [6][1] and which decides not to prosecute shall, in selecting the State to which the offender or alleged offender is to be extradited, pay due regard to the interests and responsibilities of the State Party whose flag the ship was flying at the time of the commission of the offence.

6 In considering a request for the extradition of an alleged offender pursuant to this Convention, the requested State shall pay due regard to whether his rights as set forth in article 7, paragraph 3, can be effected in the requesting State.

7 With respect to the offences as defined in this Convention, the provisions of all extradition treaties and arrangements applicable between States Parties are modified as between States Parties to the extent that they are incompatible with this Convention.

ARTICLE 12

1 State Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offences set forth in article 3, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2 States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties on mutual assistance that may exist between them. In the absence of such treaties, States Parties shall afford each other assistance in accordance with their national law.

ARTICLE 13

1 States Parties shall co-operate in the prevention of the offences set forth in article 3, particularly by:

(a) taking all practicable measures to prevent preparations in their respective territories for the commission of those offences within or outside their territories;

[1] Text between brackets reflects corrections effected by procès-verbal of 21 December 1989.

(b) exchanging informa' a:cordance with their national law, and co-ordinating adm. · . ·'t and other measures taken as appropriate to prevent the comm'·· ·: of offences set forth in article 3.

2 When, due to the commiss' an offence set forth in article 3, the passage of a ship has been dele·· · interrupted, any State Party in whose territory the ship or passengers -rew are present shall be bound to exercise all possible efforts ·. ·' id a ship, its passengers, crew or cargo being unduly detained or delaye'

ARTICLE 14

Any State Party having rea·' to believe that an offence set forth in article 3 will be committed sh.. .n accordance with its national law, furnish as promptly as possible a· relevant information in its possession to those States which it believes · .c be the States having established jurisdiction in accordance with a ...le 6.

ARTICLE 15

1 Each State Party shall, in accordance with its national law, provide to the Secretary-General, as promnt.. as possible, any relevant information in its possession concerning:

(a) the circumstances of the offence;

(b) the action taken pursuant to article 13, paragraph 2;

(c) the measures taken in relation to the offender or the alleged offender and, in particular, the results of any extradition proceedings or other legal proceedings.

2 The State Party where the alleged offender is prosecuted shall, in accordance with its national law communicate the final outcome of the proceedings to the Secretary-General.

3 The information transmitted in accordance with paragraphs 1 and 2 shall be communicated by the Secretary-General to all States Parties, to Members of the International Maritime Organization (hereinafter referred to as "the Organization"), to the other States concerned, and to the appropriate international intergovernmental organizations.

ARTICLE 16

1 Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2 Each State may at the time of signature or ratification, acceptance or approval of this Convention or accession thereto, declare that it does not consider itself bound by any or all of the provisions of paragraph 1. The other States Parties shall not be bound by those provisions with respect to any State Party which has made such a reservation.

3 Any State which has made a reservation in accordance with paragraph 2 may, at any time, withdraw that reservation by notification to the Secretary-General.

ARTICLE 17

1 This Convention shall be open for signature at Rome on 10 March 1988 by States participating in the International Conference on the Suppression of Unlawful Acts against the Safety of Maritime Navigation and at the Headquarters of the Organization by all States from 14 March 1988 to 9 March 1989. It shall thereafter remain open for accession.

2 States may express their consent to be bound by this Convention by:

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

3 Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

ARTICLE 18

1 This Convention shall enter into force ninety days following the date on which fifteen States have either signed it without reservation as to ratification, acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession in respect thereof.

2 For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of this Convention after the conditions for entry into force thereof have been met, the ratification, acceptance, approval or accession shall take effect ninety days after the date of such deposit.

ARTICLE 19

1 This Convention may be denounced by any State Party at any time after the expiry of one year from the date on which this Convention enters into force for that State.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.

3 A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after the receipt of the instrument of denunciation by the Secretary-General.

ARTICLE 20

1 A conference for the purpose of revising or amending this Convention may be convened by the Organization.

2 The Secretary-General shall convene a conference of the States Parties to this Convention for revising or amending the Convention, at the request of one third of the States Parties, or ten States Parties, whichever is the higher figure.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to this Convention shall be deemed to apply to the Convention as amended.

ARTICLE 21

1 This Convention shall be deposited with the Secretary-General.

2 The Secretary-General shall:

(a) inform all States which have signed this Convention or acceded thereto, and all Members of the Organization, of:

(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession together with the date thereof;

(ii) the date of the entry into force of this Convention;

(iii) the deposit of any instrument of denunciation of this Convention together with the date on which it is received and the date on which the denunciation takes effect;

(iv) the receipt of any declaration or notification made under this Convention;

(b) transmit certified true copies of this Convention to all States which have signed this Convention or acceded thereto.

3 As soon as this Convention enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 22

This Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned being duly authorized by their respective Governments for that purpose have signed this Convention.

DONE AT ROME this tenth day of March one thousand nine hundred and eighty-eight.

[For the signatures, see p. 275 of this volume.]

بروتوكــول ١٩٨٨ المتعلق بقمع الأعمال غير المشروعة الموجّهة ضد سلامة المنشــآت الثابتــة الموجودة على الجــرف القـــــارى

(والمتعلق بالأعمال الإرهابية
على المنشآت الثابتة فى عرض البحر)

دخل حيز النفاذ فى أول مارس ١٩٩٢

صدقــت عليه مــصـــر فى ٨ يناير ١٩٩٣

PROTOCOL[1] FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF FIXED PLATFORMS LOCATED ON THE CONTINENTAL SHELF

The States Parties to this Protocol,

BEING PARTIES to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation,

RECOGNIZING that the reasons for which the Convention was elaborated also apply to fixed platforms located on the continental shelf,

TAKING ACCOUNT of the provisions of that Convention,

AFFIRMING that matters not regulated by this Protocol continue to be governed by the rules and principles of general international law,

HAVE AGREED as follows:

ARTICLE 1

1 The provisions of articles 5 and 7 and of articles 10 to 16 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime

[1] Came into force on 1 March 1992, i.e., the date on which the above-mentioned Convention entered into force, in accordance with article 6 (1):

Participant	*Date of deposit of the instrument of ratification, approval (AA) or accession (a)*
Austria	28 December 1989 *a*
China*	20 August 1991
France*	2 December 1991 *AA*
German Democratic Republic[1], *	14 April 1989 *a*
Germany	6 November 1990 *a*
Hungary	9 November 1989
Italy	26 January 1990
Norway	18 April 1991
Oman	24 September 1990 *a*
Poland	25 June 1991
Seychelles	24 January 1989
Spain	7 July 1989
Sweden	13 September 1990
Trinidad and Tobago	27 July 1989 *a*
United Kingdom of Great Britain and Northern Ireland*	3 May 1991

[1] Prior to the coming into effect of the accession, the German Democratic Republic acceded to the Federal Republic of Germany with effect from 3 October 1990.

* For the texts of the declarations and reservations made upon ratification, accession or approval, see p. 346 of this volume.

Navigation (hereinafter referred to as "the Convention") shall also apply mutatis mutandis to the offences set forth in article 2 of this Protocol where such offences are committed on board or against fixed platforms located on the continental shelf.

2 In cases where this Protocol does not apply pursuant to paragraph 1, it nevertheless applies when the offender or the alleged offender is found in the territory of a State Party other than the State in whose internal waters or territorial sea the fixed platform is located.

3 For the purposes of this Protocol, "fixed platform" means an artificial island, installation or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.

ARTICLE 2

1 Any person commits an offence if that person unlawfully and intentionally:

(a) seizes or exercises control over a fixed platform by force or threat thereof or any other form of intimidation; or

(b) performs an act of violence against a person on board a fixed platform if that act is likely to endanger its safety; or

(c) destroys a fixed platform or causes damage to it which is likely to endanger its safety; or

(d) places or causes to be placed on a fixed platform, by any means whatsoever, a device or substance which is likely to destroy that fixed platform or likely to endanger its safety; or

(e) injures or kills any person in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (a) to (d).

2 Any person also commits an offence if that person:

(a) attempts to commit any of the offences set forth in paragraph 1; or

(b) abets the commission of any such offences perpetrated by any person or is otherwise an accomplice of a person who commits such an offence; or

(c) threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (b) and (c), if that threat is likely to endanger the safety of the fixed platform.

ARTICLE 3

1 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 when the offence is committed:

(a) against or on board a fixed platform while it is located on the continental shelf of that State; or

(b) by a national of that State.

2 A State Party may also establish its jurisdiction over any such offence when:

(a) it is committed by a stateless person whose habitual residence is in that State;

(b) during its commission a national of that State is seized, threatened, injured or killed; or

(c) it is committed in an attempt to compel that State to do or abstain from doing any act.

3 Any State Party which has established jurisdiction mentioned in paragraph 2 shall notify the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Secretary-General"). If such State Party subsequently rescinds that jurisdiction, it shall notify the Secretary-General.

4 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 in

cases where the alleged offender is present in its territory and it does not extradite him to any of the States Parties which have established their jurisdiction in accordance with paragraphs 1 and 2 of this article.

5 This Protocol does not exclude any criminal jurisdiction exercised in accordance with national law.

ARTICLE 4

Nothing in this Protocol shall affect in any way the rules of international law pertaining to fixed platforms located on the continental shelf.

ARTICLE 5

1 This Protocol shall be open for signature at Rome on 10 March 1988 and at the Headquarters of the International Maritime Organization (hereinafter referred to as "the Organization") from 14 March 1988 to 9 March 1989 by any State which has signed the Convention. It shall thereafter remain open for accession.

2 States may express their consent to be bound by this Protocol by:

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

3 Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

4 Only a State which has signed the Convention without reservation as to ratification, acceptance or approval, or has ratified, accepted, approved or acceded to the Convention may become a Party to this Protocol.

ARTICLE 6

1 This Protocol shall enter into force ninety days following the date on which three States have either signed it without reservation as to ratification, acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession in respect thereof. However, this Protocol shall not enter into force before the Convention has entered into force.

2 For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of this Protocol after the conditions for entry into force thereof have been met, the ratification, acceptance, approval or accession shall take effect ninety days after the date of such deposit.

ARTICLE 7

1 This Protocol may be denounced by any State Party at any time after the expiry of one year from the date on which this Protocol enters into force for that State.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.

3 A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after the receipt of the instrument of denunciation by the Secretary-General.

4 A denunciation of the Convention by a State Party shall be deemed to be a denunciation of this Protocol by that Party.

ARTICLE 8

1 A conference for the purpose of revising or amending this Protocol may be convened by the Organization.

2 The Secretary-General shall convene a conference of the States Parties to this Protocol for revising or amending the Protocol, at the request of one third of the States Parties, or five States Parties, whichever is the higher figure.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to this Protocol shall be deemed to apply to the Protocol as amended.

ARTICLE 9

1 This Protocol shall be deposited with the Secretary-General.

2 The Secretary-General shall:

(a) inform all States which have signed this Protocol or acceded thereto, and all Members of the Organization, of:

(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

(ii) the date of entry into force of this Protocol;

(iii) the deposit of any instrument of denunciation of this Protocol together with the date on which it is received and the date on which the denunciation takes effect;

(iv) the receipt of any declaration or notification made under this Protocol or under the Convention, concerning this Protocol;

(b) transmit certified true copies of this Protocol to all States which have signed this Protocol or acceded thereto.

3 As soon as this Protocol enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 10

This Protocol is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed this Protocol.

DONE AT ROME this tenth day of March one thousand nine hundred and eighty-eight.

[For the signatures, see p. 330 of this volume.]

CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF MARITIME NAVIGATION (SUA), PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF FIXED PLATFORM LOCATED ON THE CONTINENTAL SHELF

Country	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 Mar 1988 (SUA)	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 Mar 1988 (SUA Prot)
Afghanistan	23 Sep 2003 (Acc)	23 Sep 2003 (Acc)
Albania	19 Jul 2002 (Acc)	19 Jun 2002 (Acc)
Algeria	11 Feb 1998 (Acc)	30 Jun 2006 (Acc)
Andorra	17 Jul 2006 (Acc)	17 Jul 2006 (Acc)
Angola	[illegible]	
Antigua and Barbuda	12 Oct 2009 (Acc)	12 Oct 2009 (Acc)
Argentina	17 Aug 1993 (R)	26 Nov 2003 (R)
Armenia	8 Jun 2005 (Acc)	8 Jun 2005 (Acc)
Australia	19 Feb 1993 (Acc)	19 Feb 1992 (Acc)
Austria	28 Dec 1989 (R)	28 Dec 1989 (Acc)
Azerbaijan	26 Jan 2004 (Acc)	26 Jan 2004 (Acc)
Bahamas	25 Oct 2005 (Acc)	25 Oct 2005 (Acc)
Bahrain	21 Oct 2005 (Acc)	21 Oct 2005 (Acc)
Bangladesh	9 Jun 2005 (Acc)	9 Jun 2005 (Acc)
Barbados	6 May 1994 (Acc)	6 May 1994 (Acc)
Belarus	4 Dec 2002 (Acc)	4 Dec 2002 (Acc)
Belgium	11 Apr 2005 (Acc)	11 Apr 2005 (Acc)
Belize		
Benin	31 Aug 2006 (Acc)	31 Aug 2006 (Acc)
Bhutan		
Bolivia	13 Feb 2002 (Acc)	13 Feb 2002 (Acc)
Bosnia and Herzegovina	28 Jul 2003 (Acc)	28 Jul 2003 (Acc)
Botswana	14 Sep 2000 (Acc)	14 Sep 2000 (Acc)
Brazil	25 Oct 2005 (R)	25 Oct 2005 (R)

Inventory of International Nonproliferation Organizatic
Center for Nonproliferation Studies
Last Update: 5/15/2010

Country	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 Mar 1988 (SUA)	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 Mar 1988 (SUA Prot)
Brunei Darussalam	4 Dec 2003 (R)	04 Dec 2003 (R)
Bulgaria	8 Jul 1999(R)	8 Jul 1999 (R)
Burkina Faso	15 Jan 2004 (Acc)	14 Jan 2004 (Acc)
Burundi		
Cambodia	18 Aug 2006 (Acc)	18 Aug 2006 (Acc)
Cameroon		
Canada	18 Jun 1993 (R)	18 Jun 1993 (R)
Cape Verde	3 Jan 2003 (Acc)	3 Jan 2003 (Acc)
Central African Republic		
Chad		
Chile	22 Apr 1994 (R)	22 Apr 1994 (R)
China	20 Aug 1991 (R)	20 Aug 1991 (R)
Colombia		
Comoros	6 Mar 2008 (Acc)	6 Mar 2008 (Acc)
Congo		
Cook Islands	12 Mar 2007 (Acc)	
Costa Rica	25 Mar 2003 (R)	25 Mar 2003 (R)
Cote D'Ivoire		
Croatia	18 Aug 2005 (Acc)	18 Aug 2005 (Acc)
Cuba	20 Nov 2001 (Acc)	20 Nov 2001 (Acc)
Cyprus	2 Feb 2000 (Acc)	2 Feb 2000 (Acc)
Czech Republic	10 Dec 2004 (Acc)	10 Dec 2004 (Acc)
Democratic People's Republic of Korea (North Korea)		
Democratic Republic of the Congo		
Denmark	25 Aug 1995 (R)	25 Aug 1995 (R)
Djibouti	9 Jun 2004 (Acc)	9 Jun 2004 (Acc)
Dominica	31 Aug 2001 (Acc)	12 Oct 2004 (Acc)
Dominican Republic	3 Jul 2008 (Acc)	12 Aug 2009 (Acc)
Ecuador	10 Mar 2003 (Acc)	10 Mar 2003 (Acc)
Egypt	8 Jan 1993 (R)	8 Jan 1993 (R)
El Salvador	7 Dec 2000 (Acc)	7 Dec 2000 (Acc)
Equatorial Guinea	15 Jan 2004 (Acc)	15 Jan 2004 (Acc)
Eritrea		
Estonia	15 Feb 2002 (Acc)	28 Jan 2004 (Acc)
Ethiopia		
Fiji	21 May 2008 (Acc)	21 May 2008 (Acc)

Country	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 Mar 1988 (SUA)	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 Mar 1988 (SUA Prot)
Finland	12 Nov 1998 (R)	28 Apr 2000 (Acc)
France	2 Dec 1991 (App)	2 Dec 1991 (App)
Gabon		
Gambia	1 Nov 1991 (Acc)	
Georgia	11 Aug 2006 (Acc)	11 Aug 2006 (Acc)
Germany	6 Nov 1990 (Acc)	6 Nov 1990 (Acc)
Ghana	1 Nov 2002 (Acc)	1 Nov 2002 (Acc)
Greece	11 Jun 1993 (R)	11 Jun 1993 (R)
Grenada	9 Jan 2002 (Acc)	9 Jan 2002 (Acc)
Guatemala	26 Aug 2009 (Acc)	26 Aug 2009 (Acc)
Guinea	1 Feb 2005 (Acc)	1 Feb 2005 (Acc)
Guinea-Bissau	14 Oct 2008 (Acc)	14 Oct 2008 (Acc)
Guyana	[illegible] Jan 2003 (Acc)	30 Jan 2003 (Acc)
Haiti		
Honduras	17 May 2005 (Acc)	17 May 2005 (Acc)
Hungary	9 Nov 1989 (R)	9 Nov 1989 (R)
Iceland	28 May 2002 (Acc)	28 May 2002 (Acc)
India	15 Oct 1999 (Acc)	15 Oct 1999 (Acc)
Indonesia	[illegible]	[illegible]
Iran	30 Oct 2009 (Acc)	30 Oct 2009 (Acc)
Iraq	[illegible] (S)	[illegible] (S)
Ireland	10 Sept 2004 (Acc)	10 Sept 2004 (Acc)
Israel	6 Jan 2009 (R)	6 Jan 2009 (R)
Italy	26 Jan 1990 (R)	26 Jan 1990 (R)
Jamaica	17 Aug 2005 (Acc)	19 Aug 2005 (Acc)
Japan	24 Apr 1998 (Acc)	24 Apr 1998 (Acc)
Jordan	2 Jul 2004 (Acc)	2 Jul 2004 (Acc)
Kazakhstan	24 Nov 2003 (Acc)	24 Nov 2003 (Acc)
Kenya	21 Jan 2002 (Acc)	21 Jan 2002 (Acc)
Kiribati	17 Nov 2005 (Acc)	17 Nov 2005 (Acc)
Kuwait	30 Jun 2003 (Acc)	30 Jun 2003 (Acc)
Kyrgyzstan		
Lao People's Democratic Republic		
Latvia	4 Dec 2002 (Acc)	4 Dec 2002 (Acc)
Lebanon	16 Dec 1994 (Acc)	16 Dec 1994 (Acc)
Lesotho		

Country	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 Mar 1988 (SUA)	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 Mar 1988 (SUA Prot)
Liberia	5 Oct 1995 (R)	5 Oct 1995 (R)
Libyan Arab Jamahiriya	8 Aug 2002 (Acc)	8 Aug 2002 (Acc)
Liechtenstein	8 Nov 2002 (Acc)	8 Nov 2002 (Acc)
Lithuania	30 Jan 2003 (Acc)	30 Jan 2003 (Acc)
Luxembourg		
Madagascar	15 Sept 2006 (Acc)	15 Sept 2006 (Acc)
Malawi		
Malaysia		
Maldives		
Mali	29 Apr 2002 (Acc)	29 Apr 2002 (Acc)
Malta	20 Nov 2001 (Acc)	20 Nov 2001 (Acc)
Marshall Islands	29 Nov 1994 (Acc)	16 Oct 1995 (Acc)
Mauritania	17 Jan 2008 (Acc)	17 Jan 2008 (Acc)
Mauritius	3 Aug 2004 (Acc)	3 Aug 2004 (Acc)
Mexico	13 May 1994 (Acc)	13 May 1994 (Acc)
Micronesia, Federal States of	16 Feb 2003 (Acc)	
Monaco	25 Jan 2002 (Acc)	25 Jan 2002 (Acc)
Mongolia		25 Jan 2002 (Acc)
Montenegro	3 Jun 2006 (Succ)	
Morocco	8 Jan 2002 (R)	8 Jan 2002 (R)
Mozambique	8 Jan 2003 (Acc)	8 Jan 2003 (Acc)
Myanmar	19 Sep 2003 (Acc)	19 Sep 2003 (Acc)
Namibia	10 Jul 2004 (Acc)	7 Sept 2005 (Acc)
Nauru	11 Aug 2005 (Acc)	11 Aug 2005 (Acc)
Nepal		
Netherlands	5 Mar 1992(Accept)	5 Mar 1992 (Accept)
New Zealand	10 Jun 1999 (R)	10 Jun 1999 (R)
Nicaragua	4 Jul 2007 (Acc)	4 Jul 2007 (Acc)
Niger	30 Aug 2006 (Acc)	30 Aug 2006 (Acc)
Nigeria	24 Feb 2004 (R)	(S)
Niue		
Norway	18 Apr 1991 (R)	18 Apr 1991 (R)

Country	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 Mar 1988 (SUA)	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 Mar 1988 (SUA Prot)
Oman	24 Sep 1990 (Acc)	24 Sep 1990 (Acc)
Pakistan	20 Sep 2000 (Acc)	20 Sep 2000 (Acc)
Palau	4 Dec 2001 (Acc)	4 Dec 2001 (Acc)
Panama	3 Jul 2002 (Acc)	3 Jul 2002 (Acc)
Papua New Guinea		
Paraguay	12 Nov 2004 (Acc)	12 Nov 2004 (Acc)
Peru	19 Jul 2001 (Acc)	19 Jul 2001 (Acc)
Philippines	6 Jan 2004 (R)	6 Jan 2004 (R)
Poland	25 Jun 1991 (R)	25 Jun 1991 (R)
Portugal	5 Jan 1996 (Acc)	5 Jan 1996 (Acc)
Qatar	18 Sep 2003 (Acc)	18 Sep 2003 (Acc)
Republic of Korea (South Korea)	14 May 2003 (Acc)	10 Jun 2003 (Acc)
Republic of Moldova	11 Oct 2005 (Acc)	11 Oct 2005 (Acc)
Romania	2 Jun 1993 (Acc)	2 Jun 1993 (Acc)
Russian Federation	4 May 2001 (R)	4 May 2001 (R)
Rwanda		
Saint Kitts and Nevis	17 Jan 2002 (Acc)	
Saint Lucia	20 May 2004 (Acc)	20 May 2004 (Acc)
Saint Vincent and the Grenadines	9 Oct 2001 (Acc)	9 Oct 2001 (Acc)
Samoa	18 May 2004 (Acc)	
San Marino		
Sao Tome and Principe	5 May 2006 (Acc)	5 May 2006 (Acc)
Saudi Arabia	2 Feb 2006 (Acc)	2 Feb 2006 (Acc)
Senegal	9 Aug 2004 (Acc)	9 Aug 2004 (Acc)
Serbia	3 Jun 2006 (Succ)	3 Jun 2006 (Succ)
Seychelles	24 Jan 1989 (R)	24 Jan 1989 (R)
Sierra Leone		
Singapore	3 Feb 2004 (Acc)	
Slovakia	8 Dec 2000 (Acc)	8 Dec 2000 (Acc)
Slovenia	18 Jul 2003 (Acc)	18 Jul 2003 (Acc)

Country	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 Mar 1988 (SUA)	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 Mar 1988 (SUA Prot)
Solomon Islands		
Somalia		
South Africa	8 Jul 2005 (Acc)	8 Jul 2005 (Acc)
Spain	7 Jul 1989 (R)	7 Jul 1989 (R)
Sri Lanka	4 Sep 2000 (Acc)	
Sudan	22 May 2000 (Acc)	22 May 2000 (Acc)
Suriname		
Swaziland	17 Apr 2003 (Acc)	17 Apr 2003 (Acc)
Sweden	13 Sep 1990 (R)	13 Sep 1990 (R)
Switzerland	12 Mar 1993 (R)	12 Mar 1993 (R)
Syrian Arab Republic	24 Mar 2003 (Acc)	24 Mar 2003 (Acc)
Tajikistan	12 Aug 2005 (Acc)	12 Aug 2005 (Acc)
Thailand		
The Former Yugoslav Republic of Macedonia	7 Aug 2007 (Acc)	7 Aug 2007 (Acc)
Timor-Leste		
Togo	10 Mar 2003 (Acc)	10 Mar 2003 (Acc)
Tonga	6 Dec 2002 (Acc)	6 Dec 2002 (Acc)
Trinidad and Tobago	27 Jul 1989 (Acc)	27 Jul 1989 (Acc)
Tunisia	6 Mar 1998 (Acc)	6 Mar 1998 (Acc)
Turkey	6 Mar 1998 (R)	6 Mar 1998 (R)
Turkmenistan	8 Jun 1999 (Acc)	8 Jun 1999 (Acc)
Tuvalu	2 Dec 2005 (Acc)	
Uganda	11 Nov 2003 (Acc)	
Ukraine	21 Apr 1994 (R)	21 Apr 1994 (R)
United Arab Emirates	15 Sept 2005 (Acc)	15 Sept 2005 (Acc)
United Kingdom of Great Britain and Northern Ireland	3 May 1991 (R)	3 May 1991 (R)
United Republic of Tanzania	11 May 2005 (Acc)	
United States of America	6 Dec 1994 (R)	6 Dec 1994 (R)

Country	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 Mar 1988 (SUA)	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 Mar 1988 (SUA Prot)
Uruguay	10 Aug 2001 (Acc)	10 Aug 2001 (Acc)
Uzbekistan	25 Sep 2000 (Acc)	25 Sep 2000 (Acc)
Vanuatu	18 Feb 1999 (Acc)	18 Feb 1999 (Acc)
Venezuela (Bolivarian Republic of)		
Viet Nam	12 Jul 2000 (Acc)	12 Jul 2002 (Acc)
Yemen	30 Jun 2000 (Acc)	30 Jun 2000 (Acc)
Yugoslavia, Former Republic of		
Zambia		
Zimbabwe	[illegible]	[illegible]
Total Member States	156	145
Signatory Only	0	1

SUA, SUA PROT,

Key:

Acc	Date of Accession (becoming party to the agreement after it has already entered into force).
Accept	Date of Acceptance (agreeing to be legally bound by the terms of the Treaty).
App	Date of Approval (approved by government and awaiting ratification by the legislative process).
EIF	Entered Into Force
R	Date of Ratification (fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and the Treaty is formally declared to be applicable on the State Party, and the required legal instrument of ratification has been duly deposited with the depositary).
S	Date of Signature (competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification).
Succ	Date of Succession (when an original or previous State party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party).

الجهود الدولية لمكافحة الإرهاب
تحت مظلة الأمم المتحدة

تقرير اللجنة المؤقتة للجمعية العامة للأمم المتحدة حول الإرهاب الدولي

(١٧ أبريل ١٩٧٩)

REPORT OF THE AD HOC COMMITTEE ON INTERNATIONAL TERRORISM, U.N. Doc. A/34/37 (17 Apr. 1979)

I. INTRODUCTION

1. At its 105th plenary meeting, on 16 December 1977, the General Assembly, on the recommendation of the Sixth Committee,[1] adopted resolution 32/147 entitled "Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms, and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes', which reads as follows:

"*The General Assembly,*

"*Deeply perturbed* over acts of international terrorism which are occurring with increasing frequency and which take a toll of innocent human lives,

"*Recognizing* the importance of international co-operation in devising measures effectively to prevent their occurrence and of studying their underlying causes with a view to finding just and peaceful solutions as quickly as possible,

"*Recalling* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,[2]

"*Taking note* of the report of the *Ad Hoc* Committee on International Terrorism,[3]

"*Deeply convinced* of the importance to mankind of the continuation of the work of the *Ad Hoc* Committee,

"1. *Expresses deep concern* over increasing acts of international terrorism which endanger or take innocent human lives or jeopardize fundamental freedoms;

"2. *Urges* States to continue to seek just and peaceful solutions to the underlying causes which give rise to such acts of violence;

"3. *Reaffirms* the inalienable right to self-determination and independence of all peoples under colonial and racist régimes and other forms of alien domination, and upholds the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the organs of the United Nations;

"4. *Condemns* the continuation of repressive and terrorist acts by colonial, racist and alien régimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms;

"5. *Appeals* to States which have not yet done so to examine the possibility of becoming parties to the existing international conventions which relate to various aspects of the problem of international terrorism;

"6. *Invites* States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem, bearing in mind the provisions of paragraph 3 above;

---

[1] Official Records of the General Assembly, Thirty-Second Session, Annexes, agenda item 118, document A/312/453, para. 8.

[2] General Assembly resolution 2526 (XXV), annex.

[3] Official Records of the General Assembly, Thirty-second Session, Supplement No. 37 (A/32/37).

"7. *Invites* the Committee on International Terrorism to continue its work in accordance with the mandate entrusted to it under General Assembly resolution 3034 (XXVII) of 18 December 1972, first by studying the underlying causes of terrorism and then by recommending practical measures to combat terrorism;

"8. *Invites* the States which have not yet done so to submit their observations and concrete proposals as soon as possible to the Secretary-General so as to enable the *Ad Hoc* Committee to carry out its mandate more efficiently;

"9. *Requests* the Secretary-General to transmit to the *Ad Hoc* Committee an analytical study of the observations of States submitted under paragraph 8 above;

"10. *Requests* the *Ad Hoc* Committee to consider the observations of States under paragraph 8 above and to submit its report with recommendations for possible co-operation for the speedy elimination of the problem, bearing in mind the provisions of paragraph 3, to the General Assembly at its thirty-fourth session;

"11. *Requests* the Secretary-General to provide the *Ad Hoc* Committee with the necessary facilities and services, including summary records of its meetings;

"12. *Decides* to include the item in the provisional agenda of its thirty-fourth session."

2. The *Ad Hoc* Committee on international Terrorism was composed of the following member States appointed by the President of the General Assembly under the terms of paragraph 9 of Assembly resolution 3034 (XXVII) of 18 December 1972:

Algeria	Nigeria
Austria	Panama
Barbados	Sweden
Canada	Syrian Arab Republic
Congo	Tunisia
Czechoslovakia	Turkey
Democratic Yemen	Ukrainian Soviet Socialist Republic
France	Union of Soviet Socialist Republics
Greece	United Kingdom of Great Britain and Northern Ireland
Guinea	United Republic of Tanzania
Haiti	United States of America
Hungary	Uruguay
India	Venezuela
Iran	Yemen
Italy	Yugoslavia
Japan	Zaire
Mauritania	Zambia
Nicaragua	

3. The *Ad Hoc* Committee met at United Nations Headquarters from 19 March to 6 April 1979.[4]

4. At its 11th and 12th meetings, held on 19 and 20 March, the *Ad Hoc* Committee elected the following officers:

<u>Chairman</u>: Mr. Rikhi Jaipal (India)
<u>Vice Chairmen</u>: Mr. Imre Hollai (Hungary)
Mr. E. B. Maycock (Barbados)

[4] For the membership list of the *Ad Hoc* Committee at its 1979 session, *see* A/AC.160/INF.3.

Mr. Folke Persson (Sweden)

Rapporteur: Mrs. Katherine K. Oriyo (United Republic of Tanzania)

5. The session was opened by Mr. Erik Suy, Under-Secretary-General, the Legal Counsel, who represented the Secretary-General. Mr. Valentin A. Romanov, Director of the Codification Division of the Office of Legal Affairs, acted as Secretary of the *Ad Hoc* Committee. Mr. Gamal M. Badr, Deputy Director for Research and Studies, and Miss Jacqueline Dauchy, Senior Legal officer (Codification Division, Office of Legal Affairs), acted, respectively, as Deputy Secretary to the *Ad Hoc* Committee and Secretary to its Working Group. Mr. Manuel Rama-Montaldo, Legal Officer, and Mr. Igor Fominov, Associate Legal Officer (Codification Division, Office of Legal Affairs), acted as Assistant Secretaries to the *Ad Hoc* Committee and its Working Group.

6. At its 11th meeting, on 19 March, the *Ad Hoc* Committee adopted the following agenda:

1. Opening of the session.
2. Election of officers.
3. Adoption of the agenda.
4. Organization of work.
5. Consideration of the observations of States and formulation of recommendations pursuant to General Assembly resolution 32/147.
6. Adoption of the report.

7. The Committee had before it the analytical study prepared by the Secretariat in accordance with General Assembly resolution 32/147 and the observations and proposals annexed to the analytical study, submitted by States pursuant to the same resolution (A/AC.160/4 and Corr.1). It also had before it the observations of States submitted in accordance with paragraph 8 of Assembly resolution 31/102 of 15 December 1976 (A/AC.160/3 and Add.1-2) as well as the working papers submitted during its 1973 session which are reproduced in the annex of the report of the Committee to the General Assembly at its twenty-eighth session.[5]

8. The *Ad Hoc* Committee devoted part of its 13th meeting and its 14th to 17th meetings, held between 21 and 26 March, to a general debate, in which the representatives of the following States took part: Austria, Barbados, Czechoslovakia, Democratic Yemen, France, Greece, Hungary, India, Italy, Japan, Nigeria, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela and Yugoslavia. The delegations of Argentina, Egypt, Iraq and Romania expressed their desire to participate in the work of the Committee as observers. The representative of Argentina, in her capacity as observer, made a statement with the consent of the Committee.

9. The proceedings of the *Ad Hoc* Committee are reflected in the summary records of its meetings (A/AC.160/SR.11-19).

10. At its 13th meeting, on 21 March, the *Ad Hoc* Committee decided to establish a Working Group of the Whole to deal with the questions related to the causes of international terrorism and the measures to be taken against it, in that order.

11. The Working Group was chaired by the Chairman of the *Ad Hoc* Committee, the other officers of the *Ad Hoc* Committee also performing their respective functions in the working Group. It held 10 meetings between 26 March and 5 April.

---

[5] Official Records of the General Assembly, Twent-eighth Session, Supplement No. 28 (A/9028).

12. At its 19th meeting, on 6 April, the *Ad Hoc* Committee considered and approved the report of the Working Group (see sect. III below). The report of the *Ad Hoc* Committee was adopted at the same meeting.

II. SUMMARY OF THE GENERAL DEBATE

A. General approach to the problem of international terrorism

13. Many delegations expressed concern at the continuance of international terrorist activities, which were referred to as one of the most tragic phenomena of this age, and drew attention to their destructive effects.

14. It was recalled that at least 300 people had been killed during terrorist incidents in 1978 alone and that hijackings, kidnappings, bombings and assassinations continued to take the lives of innocent victims. Acts of international terrorism, it was stated, affected the lives, the health, the property and the security of completely innocent people; they disrupted daily economic and social activity, sowed the seeds of distrust and fear among States and peoples and often provoked a violent response which escalated tension and hostility. Thus, they had an adverse effect in the sphere of mutual relations among States, frequently jeopardizing the results of many years of efforts for the development of bilateral and multilateral relations and making the peaceful settlement of disputes more difficult.

15. It was also said that, as they relied on the use of force for the purpose of perpetrating violence over whole peoples, over countries and individuals, terrorist activities threatened the international community. Being designed to negate fundamental social, political and economic rights, to endanger human lives and to destabilize internal social systems, they posed a serious threat to international peace and security and were at variance with the principles of peaceful coexistence, friendly relations among States, settlement of disputes by peaceful means, non-interference in internal affairs, non-intervention as well as other generally accepted principles of international law and of the Charter of the United Nations.

16. It was further stated that acts of international terrorism impaired the diplomatic activities of States, endangered their representatives and hampered the normal development of contacts and communications between them and the smooth conduct of international meetings, created major obstacles to co-operation and the further extension of the process of détente and, in the final analysis, threatened the peace and security of peoples. In addition, they threatened the achievement of the objectives set out in the Final Act of the Conference on Security and Co-operation in Europe. Thus, it was concluded, acts of international terrorism could be said to be directed against international co-operation among States. At the same time attention was drawn to the inacceptability of a broad interpretation of the concept of international terrorism which would include the national liberation struggle, acts of resistance against the aggressor in territories occupied by the latter and demonstrations by workers who were opposed to exploitation. To draw a parallel between those phenomena and international terrorism would be an affront to national and social movements struggling for the implementation of principles upheld by the United Nations.

17. Several delegations stressed the need to enlist the active co-operation of the international community in tackling the problem of international terrorism. It was said that, inasmuch as it was now increasingly common for terrorist acts to transcend national boundaries and thereby assume a marked international character, it was apparent that while internal administrative, legislative, and other measures to combat terrorism within a given country were essential, such internal measures were not sufficient for dealing with the international aspects of terrorism. It was added that broad and responsible international co-operation in the struggle against international terrorism was all the more necessary as acts of terrorism not only affected the

lives, the health, the property and the security of innocent people, but had an adverse effect also in the sphere of relations among States and frequently depreciated the results of many years of efforts for the development of international co-operation.

18. In this connexion the opinion was expressed that in view of its complex character, its bearing on international relations as a whole as well as its consequences for peace and security in the world in general, the problem had a universal significance which made it imperative to consider it within the framework of the Organization.

19. Referring to the achievements of the Organization in this area some representatives noted that in the seven years since the United Nations, acting upon the initiative of the Secretary-General, had officially embarked upon its consideration of the issue of international terrorism in 1972, significant progress had been made. Reference was made to the various international conventions which had been adopted on the topic (see para. 50 below). Those results had been achieved, it was maintained, because in each case the international community, after carefully limiting the objectives to be attained, had proceeded to discuss the matter from a practical viewpoint, in a step by step manner and in a mostly calm and dispassionate atmosphere.

20. Other representatives, however, maintained that in the six years which had gone by since the adoption of General Assembly resolution 3034 (XXVII), the United Nations had given no sign of sufficient will to deal practically with such a vital problem. At best, they said, there had been an indirect approach as in the various conventions referred to above. It was now high time to adopt comprehensive decisions spelling out concrete measures for condemning and eliminating all terrorist acts.

21. A number of representatives commented in a general way on the premises from which the international community should start in tackling the problem of international terrorism. Some of them held that international co-operation against international terrorism must proceed from the valid principles of international law and the generally recognized principles of national sovereignty, inviolability of State borders and non-interference in the internal affairs of States. As one of the complex problems of contemporary relations, it was added, international terrorism must be considered within the framework of broader actions aimed at building new democratic international relations as well as constant efforts towards eliminating all forms of use or threat of force. The view was further expressed that the struggle against violence must be geared towards the guarantee of human dignity and that the guiding principle in any attempt to combat terrorism and its various manifestations should be the defense of human rights and justice.

22. While recognizing that, if the principles enshrined in the Charter of the United Nations, the Universal Declaration on Human Rights and other relevant United Nations decisions were properly observed, a great number - though not all instances of international terrorism might be avoided, other representatives expressed the view that it was in the interest of the international community to take all appropriate measures in order to prevent responses to violations of the principles and spirit of the Charter from assuming extreme forms and resulting in the victimization of innocent people. It was also said that the wide international co-operation, which was a prerequisite for any constructive handling of the problem, could only be brought about through identification of the points on which there was the greatest possibility of reaching an international consensus and through the condemnation of acts of terrorism as contrary to the basic principles of human decency.

23. Attention was drawn in this connexion to the danger of applying double standards in this field, treating one and the same kind of terrorism in one case as a crime and in another case as a form of political opposition and struggle for human rights. Such an approach, it was stated,

was based on ideological criteria and vestiges of the cold war concept. International terrorism could not be effectively suppressed if international commitments were unilaterally interpreted according to narrow and egotistic interests. Such an attitude furthermore inevitably cast doubt on the good faith and sincerity of declared positions against terrorism. The view was also expressed that legal formulations, no matter how perfect, would never suffice to solve the problem of terrorism unless action was taken to remove its underlying causes. The restoration of the legitimate rights of the Arab people of Palestine, the cessation of Israeli occupation of the Arab territories and the provision of support to the liberation struggle of peoples under the colonial yoke were some of the ways in which a real solution to that problem could be found.

B. Main elements relevant to the consideration of the problem of international terrorism

24. Many States reiterated the categorical opposition of their Governments to acts of international terrorism. Some said that they condemned unequivocally all forms of international terrorism and that acts of violence which sought to undermine the basic freedoms of peoples had no place in a decent society, were barbaric, inhuman and antisocial and deserved the universal condemnation of all peace-loving peoples of the world. Nothing, it was added, could justify the wanton destruction of lives and property of innocent peoples. Those who sought to internationalize their grievances ought to find a more civilized and generally acceptable means of disseminating their views without recourse to violence. The view was further expressed that acts of international terrorism were abhorrent acts that must, regardless of the motives of their perpetrators, be condemned in the strongest possible terms. Motive in the commission of crime, it was observed, was irrelevant, albeit a mitigating factor in the determination of the appropriate punishment. Furthermore, actions which were abhorrent to the moral conscience of humanity could only damage the very cause they sought to serve.

25. Some delegations, however, pointed out that the problem of international terrorism was a complex one with manifold psychological, political, economic and social origins and causes. While condemning international terrorist acts aimed at personal gain and which caused the loss of innocent lives, they expressed their concern regarding the propaganda campaigns which accompanied the raising of the subject of international terrorism and its inclusion in the agenda of the General Assembly. In their view, this concern was caused by the desire of certain States to exploit extraneous circumstances in order to divert world attention from the injustices inflicted upon peoples and national movements struggling for their independence and the restoration of their freedom with the support of the United Nations and the progressive peace-loving nations.

26. Several representatives stressed that in their condemnation of those who committed degrading acts of violence they included all Governments, non-governmental organizations, intelligence organizations, groups of persons and private persons that indulged in these heinous acts, deliberately using for the achievement of particular objectives innocent peoples who were tortured or collectively punished or even massacred for the action of other persons. The view was also expressed that the real and most dangerous form of terrorism was the one which emerged as an expression and instrument of the policy of force, aggression, hegemony, interference in internal affairs, of a policy aimed at imposing the will of the stronger through the use of the most sophisticated techniques, acts of so-called retaliation and killing of innocent inhabitants. The actions of States which disposed of the monopoly of power could, it was maintained, pose a much more serious threat to international peace than acts committed by individuals or terrorist groups. They took various forms such as threats to militarily weak States and to their independence and territorial integrity, the use of mercenaries and the undertaking

of subversive actions. In this connexion reference was made to banditry organized by fascist criminals serving as the mercenaries of intelligence agencies for the benefit of foreign political interests and it was recalled that under the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations[6] every State had "the duty to refrain from organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into the territory of another State" as well as the duty 'to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts, when the acts referred to in the present paragraph involve a threat or use of force".

27. Other representatives stressed that if one were to expand the concept of terrorism to include every form of use or threat of force by States, one would be stepping outside the range of the Committee's terms of reference by engaging in the treatment of subjects or problems which clearly fell within the sphere of competence of other United Nations bodies and in particular the Security Council. The problems posed by State terrorism, it was added, were varied and complex and could best be identified by a careful analytical study of the underlying causes. Some of those causes stemmed from inordinate ambition for political power, denial of basic freedoms hitherto enjoyed by the people and disrespect for the proper functioning of legal institutions which lead to denial of justice and fair play. Some of these problems had been adequately reported to the Commission on Human Rights, which was competent to handle such abuses of fundamental human rights. With regard to the organization or the encouragement of the organization by the authorities of a State, of armed bands within its territory or any other territory for incursions into the territory of another State, the view was expressed that these condemnable acts of interference in the internal or external affairs of States, committed under the pretext of correcting alleged defects in the structure or administration of a country, could not be the responsibility of the Committee but belonged to another forum if and when established. They were acts of aggression by definition and constituted offences against the peace and security of mankind. The problems posed by such acts could not be effectively dealt with by the Committee, which should not complicate its task by looking into the very complex and highly sensitive area of State terrorism.

28. Several delegations stressed that while condemning international terrorism they were aware that human beings, by their very nature, were prone to commit certain acts out of desperation, misery, frustration and provocation. The international community could not fail to recognize the yearning desires of all oppressed peoples of the world to regain their political, economic and social freedoms, nor fail to condemn all acts of economic exploitation, political serfdom, the obnoxious policies of *apartheid* and racial discrimination in all its forms and shapes. The view was also expressed that identifying resistance against such terror with terrorism could only be construed as an attempt to defend obsolete international and social relations and to discredit and impede the just and legitimate struggle of oppressed peoples for freedom and independence and against all forms of relations based on domination and the denial of rights. The genuine struggle of oppressed peoples for liberation and equal rights, it was stated, actually constituted a negation of terrorism, violence and subjugation; it was an attempt to gain respect for human rights and the establishment of a just legal order.

29. Some delegations, however, maintained that while it was one of the primary tasks of the

---

[6] Resolution 2625 (XXV), annex.

international community to assist persons who were denied their fundamental rights and freedoms in regaining their rights, the use of force against innocent people was not an appropriate means for achieving this end and that oppression could be resisted by violent means without resorting to terrorism. It was also said that commitment to the principles embodied in the Charter, the Universal Declaration on Human Rights and other international instruments meant that acts of terrorism which were in direct contravention of those principles had to be condemned without exceptions. The view was further expressed that just as the use of freedom for the purpose of destroying freedom was unacceptable, the freedom to use inhuman means to achieve utopian humanism was to be repudiated. The brotherhood of survivors, it was added, could not serve as an ideal for a just and peaceful society.

30. A number-of representatives dealt more specifically with the struggle of national liberation movements. It was recalled that the United Nations had repeatedly underscored the moral and political legitimacy of the liberation struggle waged by oppressed and dependent peoples, with all the means at their disposal, as well as the fact that this struggle was in full accordance with the principles of the Charter of the United Nations. National liberation struggle, it was added, should be strictly distinguished from terrorist acts which, in their essence, did not amount to resistance against the terror of colonialism and occupation; it should be placed in the same category as armed conflicts and come from the legal point of view, within the purview of the provisions of the Geneva Conventions of 1949[7] and their Additional Protocols. Struggle against international terrorism, it was added, should not result in any restriction of the legitimate rights of peoples, guaranteed by the Charter and United Nations resolutions, to lead a struggle against colonialism, racism and *apartheid* and against all forms of national and social oppression.

31. Other representatives said that they respected the right of all peoples to self-determination and fully recognized the just exercise of that right in accordance with the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. They added that certain acts, even if intended to further a good cause, were so heinous that they merited international condemnation. Reference was made in this connexion to a definition of acts of international terrorism which had been proposed at a previous session in terms of the odious barbarity of acts which all States condemned whatever their sympathies for the cause the perpetrators claimed to uphold. Several delegations expressed conviction that the adoption of measures to combat international terrorism could be reconciled with the legitimate struggle of national liberation movements acting in accordance with the purposes and principles of the United Nations. It was stressed that the liberation movements must adapt their conduct so that they could not be associated with criminal or terrorist groups which, to improve their image, tried to link themselves with such movements.

C. Observations regarding the tasks before the *Ad Hoc* Committee

32. A number of representatives commented on the way in which the *Ad Hoc* Committee should approach its task as well as on the Committee's mandate as defined in General Assembly resolution 32/147.

33. Some delegations held that no genuinely effective and generally acceptable action could be initiated in this field without first undertaking a review of the basic positions of individual States which alone would provide a basis for generally acceptable directions in which the efforts of the Committee should be channeled. Several delegations also insisted on the need to

---

[7] United Nations, Treaty Series, vol. 74, Nos. 970-973.

avoid what they termed a partial or fragmentary approach and maintained that the question of international terrorism should be dealt with in its totality. They advocated an in-depth study of the very notion of international terrorism, as, in their view, it was difficult to identify the causes and remedy them without taking a comprehensive look at the precise concepts involved. The view was also expressed that the Committee should simultaneously work out a definition of international terrorism, identify its causes and search for preventive means, three tasks which, it was stated, were closely dependent on one another.

34. While agreeing that a definition was desirable and perhaps even necessary other delegations stressed that no definition would be entirely adequate and comprehensive enough to accommodate all points of view. In their opinion, underlying the discussion there were political postures and perceptions that had no meeting points. Since there seemed however to be general agreement that the innocent should not suffer nor be made political pawns and that they deserved national and international protection, the Committee should now turn to specific proposals rather than reopen an interminable debate in which all that needed to be said had been virtually exhausted.

35. Comments were also made on the mandate assigned to the Committee by General Assembly resolution 32/147. Some delegations noted with satisfaction the order of priorities set forth in paragraph 7 of the resolution. They maintained that, if the work of the Committee was to bring results of lasting value and not just technical and operational suggestions of little effectiveness, attention should concentrate on the study of the causes of international terrorism and on the search for ways and means to eliminate them; to that effect an analysis of the social, political, economic and other societal conflicts in which international terrorism had its origins should be carried out. In the view of those delegations, therefore, the Committee, in accordance with the mandate given to it by the Assembly should first study the causes of international terrorism and then come up with practical recommendations to combat terrorism.

36. Other delegations expressed reservations as to the priority given in paragraph 7 of General Assembly resolution 32/147 to the study of the underlying causes of international terrorism over the formulation of practical measures to prevent it. They felt that the Committee should not delay its task of finding the means to put an end to acts of international terrorism pending a solution of the world's other problems; it should therefore concentrate on devising practical measures to combat those acts of terrorism which most flagrantly violated the commitment to human decency and should make practical recommendations to the General Assembly for action. Doubts were also expressed as to whether the Committee was the ideal body in which to consider the broader social and political ills that spawned terrorism. It was observed in this connexion that a number of other United Nations organs were currently attempting to solve those problems and that the Committee should realistically recognize that it was unlikely to remedy all the world's ills.

37. Still other delegations, while appreciating the argument that an investigation into the causes of terrorism was to a certain extent a prerequisite for elaborating countermeasures against it, stressed that the Committee would not have time to carry out such an investigation, which required thorough research and thus should be a long-term goal of the Committee. Before undertaking what was perhaps more a political, economic and social study than a legal one, the Committee should draw up a detailed programme for such a time-consuming and undoubtedly complex task, specifying in particular the various fields on which the study would focus. Consideration, it was added, should be given to enlisting the assistance of outside experts.

D. Question of the causes of international terrorism and their elimination

38. Several delegations commented on the causes of international terrorism and the ways to eliminate them. It was said in particular that the underlying causes of international terrorism were capitalism, neocolonialism, racism, the policy of aggression, foreign occupation and their consequences. International terrorism, it was further said, was closely connected with, and an ineluctable corollary of, situations that generated and tolerated injustice, inequality, subjugation, oppression and exploitation. The elimination of such situations and, in particular, of colonialism, racial discrimination, direct or indirect aggression, occupation, interference in internal affairs, subversion, various forms of disruption of the independent development of countries and destabilizing their Governments, as well as other forms of domination and exploitation, was the task of the whole international community: it called for the implementation and further elaboration of the basic objectives and principles of the Charter and norms of contemporary international law. only the removal of those causes would lead to the eradication of international terrorism.

39. The view was also expressed that the organized character of the cynical and deliberate use of innocent victims for achieving particular objectives was all part of the contemporary culture of terror which manifested itself, for instance, in the doctrine of the balance of terror, the terror bombing of cities and civilians and the ultimate use of nuclear weapons. It was added that while colonial situations and situations of racist or alien domination which were *ab initio* acts of oppression and had often resulted in innocent peoples being tortured, collectively punished or even massacred for the actions of other peoples must clearly be eliminated, no less serious a problem was posed by the modern structure of terror created as the result of soientific and technological development. Efforts to remove the causes of international terrorism, it was observed, must be continued in a sustained manner in all international forums, a task which called for leadership from all States in eschewing violence in inter-State relations and in creating a social order based on justice and equality.

40. The causes of international terrorism were further felt to be attributable to the policy of aggression and oppression pursued by some imperialist, colonialist and reactionary States. State terrorism of colonial, racist and other reactionary régimes had, it was maintained, an especially severe effect in this connexion, in as much as colonialist States continued to subject the peoples of colonized regions to various kinds of oppression, coercion, humiliation and forced emigration without respect for law or custom and pursued their policy of collective expulsion of peaceable peoples from their homelands, scattering them over various parts of the world and leaving them prey to despair and frustration.

41. It was also said that such underlying causes of violence as misery, frustration and despair should be studied in the same way as the sociological problems connected with criminality in individual countries. The international community as a whole, recognizing that terrorism was an international crime, should devote attention to special preventive measures to be taken in order to eliminate the underlying causes which lay for example in colonialism, neocolonialism, imperialism, military occupation of foreign territory, the mass expulsion of indigenous populations from their ancestral lands, lack of knowledge of the national aspirations of oppressed peoples, etc. The only way to eliminate that kind of terrorism was properly to apply the provisions of the pertinent resolutions of the United Nations and it was in that spirit that the Committee should pursue its efforts.

42. In the view of some delegations, the Committee should, now that a number of conventions dealing with various aspects of the same subject had been elaborated, focus its attention on the underlying causes of terrorism rather than on measures to combat it. Punishment, it was

observed, could only be an effective deterrent if alleged offenders were caught and dealt with accordingly, but so long as the international community lacked effective and efficient enforcement machinery and had to rely on the goodwill of individual Member States to carry out faithfully the provisions of the Conventions effective and practical measures would elude the international community. To this end, it was recommended that the United Nations should set up a programme of action within a given number of years to eliminate all forms of colonialism, racial discrimination, and *apartheid* and to further re-emphasize the urgent need to bridge the gap between the rich and poor nations.

43. Another suggestion which was made was that emphasis be placed on the prevention of terrorism against innocent persons, and for that limited purpose it was proposed to define international terrorism simply as any act of violence endangering or taking innocent human lives or jeopardizing their fundamental freedoms and affecting more than one State, such an act being committed as a form of coercion in order to secure some specific end. It was also recommended that allegations against States pursuing policies of victimization of the innocent be the subject of international investigation and that international and national terrorism be condemned even though national terrorism fell within the purview of national jurisdiction.

44. A number of delegations which made statements in the general debate refrained from commenting in their statements on the question of the causes of international terrorism in view of the decision of the Committee referred to in paragraph 10 above under which the Working Group established by the Committee would devote its first meetings to an examination of that question.

E. Question of practical measures to combat terrorism

45. Views and suggestions in this connexion related to measures at the national and international levels.

46. It was stated that, however important the role of international organizations in combating international terrorism, it was primarily the responsibility of States to take all necessary measures to that effect and particularly for the protection of foreign nationals who were in their territory against acts of terrorism. Several representatives referred to legislative measures which had been enacted within their respective countries in such areas as acts of terror against the representatives of foreign States, hijacking, weapons and explosives and the suppression of terrorism. One representative further said that her country's national experience had shown that internal terrorism could be combated through the full exercise of democracy, freedom of expression and the guarantee of equal opportunity for all.

47. Emphasis was placed on the need for each country within its own sphere of competence to become actively involved in the struggle against international terrorism. The most important part of that struggle, it was stated, depended on individual countries and on their willingness fully to implement international conventions and take effective measures within their territories. In this connexion, it was noted that the operation of existing legal instruments could only be effective if all States strictly and conscientiously fulfilled the international objectives they had assumed. Regret was expressed at the attitude of certain States which, it was stated, refused, in spite of the unambiguous obligations laid down in the Hague Convention for the Suppression of Unlawful Seizure of Aircraft[8] and the Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation,[9] to include in their bilateral agreements provisions

---

[8] United States Treaties and Other International Agreements, vol. 22, part 2 (1971), p. 1644.

[9] *Ibid.*, vol. 24, part 1 (1973), p. 568.

on the handing over of air pirates because of their constitutional procedures. Attention was further drawn by a few delegations to the terrorist activities of various Zionist, émigré and nationalist subversive organizations and Fascist-Nazi groups in the host country against diplomatic missions and staff accredited to the United Nations. The authorities of the host country, it was maintained, were confining themselves to half-measures instead of active steps to prevent criminal acts of that type, thereby encouraging the further escalation of provocatory actions against the diplomatic corps. It was further maintained that the mass media hushed up the crimes committed, notwithstanding their duty under the relevant decisions of the United Nations Educational, Scientific and Cultural Organization to contribute to the strengthening of friendly relations and co-operation among peoples and thereby work towards the reduction of acts of international terrorism. The view was further expressed that the effectiveness of the struggle against terrorism depended largely on the penalties provided for; the impunity or indulgence enjoyed by terrorists only served to encourage their criminal activities.

48. It was also noted that for the sake of further effective struggle against acts of international terrorism, it was necessary to put an end to the connivance and impunity characterizing the attitude towards criminals responsible for acts of international terrorism (hijacking, attacks on diplomatic missions and so on), as well as to the persistent tolerant attitude on the part of authorities in some States towards illegal activities of Fascist, *revanchiste*, Zionist organizations and groups inciting, promoting or directly participating in the acts of terrorism and other acts of violence against official representatives and the nationals of other States. It was pointed out in this connexion that the mass media of some countries, instead of unmasking and condemning the acts of terrorism and, contrary to their duty to promote friendship, mutual understanding, respect and co-operation among peoples, often incited the criminal activities of Fascist organizations and groups.

49. On the international plane, it was considered necessary to establish mechanisms for strengthening collaboration among Governments and competent national authorities and to promote exchange of information, in particular on the possible exploitation of modern technology for terrorist purposes. It was also recommended that due attention be paid to the high effectiveness of concluding bilateral and multilateral agreements in combating and preventing terrorist acts, with particular emphasis on the issue of extradition. Such agreements should stipulate the immediate extradition to the concerned State of criminals who were responsible for hijacking and other similar acts of international terrorism, should increase the responsibility of States for guaranteeing security of foreign missions as well as nationals and should expand the means of providing mutual legal assistance.

50. Many representatives referred to existing multilateral conventions dealing with specific aspects of international terrorism. Mention was made in particular of the 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft,[10] the 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft,[10] the 1971 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation[11] and the 1973 New York Convention on the Prevention and Punishment of Crimes .against Internationally Protected Persons, including Diplomatic Agents.[11] Effective implementation of the latter Convention was considered particularly important since diplomats were increasingly becoming the target of terrorist attacks. The view was expressed that there could be no question

[10] United Nations, Treaty Series, vol 704, No. 10106, p. 219.
[11] Resolution 3166 (XXVIII), annex.

that if States acceded to those Conventions and implemented them, that would go a long way towards eliminating the manifestations of international terrorism. In order to make those Conventions fully effective, however, it was essential for States to take all the appropriate steps to bring terrorists to justice and to prevent such acts from happening. Many representatives felt that an appeal on behalf of the Committee to those States not yet parties to the above-mentioned Conventions to adhere to them would constitute a valuable contribution to the world-wide campaign against terrorism. In this connexion, the suggestion was made that even before States formally adhered to existing Conventions, they should undertake to comply with the provisions of those Conventions.

51. Other instruments which were mentioned by some representatives included the 1971 Organization of American States Convention to prevent and punish the acts of terrorism taking the form of crimes against persons and related extortion that are of international significance,[12] as well as the 1977 European Convention on the Suppression of Terrorism,[13] entered into force on 4 August 1978, which was claimed to be, subject to the adjustments to be made therein to meet the requirements of a broader community of States, a valuable basis for the work of the Committee.

52. Several representatives welcomed the results recently achieved in connexion with the question of hostage-taking which, it was stated, constituted encouraging evidence that it was not impossible to resolve issues of the kind now confronting the *Ad Hoc* Committee on International Terrorism. It was noted in particular that the draft adopted by the *Ad Hoc* Committee on the Drafting of an International Convention against the Taking of Hostages[14] contained a provision reaffirming the legitimacy of the struggle of liberation movements fighting against colonialism, racism, *apartheid*, oppression and foreign domination, as well as a provision setting forth the obligation of countries to prohibit in their territories the activity of individual groups and organizations which prepared, instigated, organized or carried out acts of hostage-taking. The hope was expressed that all Member States would contribute towards making this draft a legally binding international instrument as soon as possible.

53. Against that background and encouraged by the progress made by the *Ad Hoc* Committee on the Drafting of an International Convention against the Taking of Hostages, a number of representatives expressed the hope that it might be possible to identify other acts of a similar nature which would lend themselves to similar sanctions by the international community, the study of the causes of international terrorism remaining a long-term goal of the Committee. It was stressed in this connexion that without identifying the specific acts of terrorism against which international co-operation could be effectively directed, the Committee might well fail to achieve orderly discussions on either causes or measures and that without a common understanding of the task to be accomplished each member of the Committee might embark upon discussions based upon completely different notions as to the acts of terrorism against which the practical co-operation of the international community was desirable and possible.

54. It was also suggested that the Committee should elaborate a model for future conventions setting forth principles that were generally accepted in the Conventions referred to above and should try to agree on which acts of violence should be dealt with in new international instruments.

---

[12] American Society of International Law, INTERNATIONAL LEGAL MATERIALS, vol. X, No. 1, p. 255.

[13] Council of Europe, EUROPEAN TREATY SERIES, No. 70.

[14] *See* Official Records of the General Assembly, Thirty-fourth session, Supplement No. 39 (A/34/39), sect. IV.

55. Several delegations referred in this connexion to the draft submitted by the United States at the 1973 session of the *Ad Hoc* Committee.[15] This draft was considered as deserving careful study and containing carefully thought out practical measures. While article I thereof was felt to offer a possible basis for the identification of the terrorist acts against which international co-operation could be directed, it was also considered as calling for some modifications in the interests of consensus. The suggestion was further made that the preamble should include a recognition of the role and legitimacy of the struggle of movements engaged in the liquidation of colonialism, racism and aggression, and emphasis was placed on the need duly to reflect, in any new international instrument which could be elaborated, the humanitarian institution of the right of asylum.

56. On the other hand, the view was expressed that the proliferation of treaties and conventions which were negotiated with all enthusiasm but never enforced could serve no useful purpose. The problem of international terrorism, it was said, required a long-term solution and nothing could produce the desired result without eliminating most if not all the root causes of the problem. While there might have been justification several years ago for considering an all embracing international convention against terrorism, such a course was not warranted any longer in view of the adoption, within the decade, of several conventions dealing with various aspects of the subject, and the time had come to concentrate on the underlying causes of these recurrent problems.

57. Another proposal of a normative nature related to the elaboration of a declaration or a convention on the prohibition of all forms of intervention in relations among States, i.e. the prohibition of all forms of State terrorism. This undertaking was felt to be particularly urgent in view of the emergence of various forms of foreign intervention that threatened international peace and security. The view was however expressed that the *Ad Hoc* Committee did not seem to be the most appropriate forum for the elaboration of such an instrument.

58. Other suggestions which were made related to a discussion of the ways and means of preventing attacks on targets such as highly sophisticated machinery and atomic power plants. Mention was made of the ongoing negotiations on an Agreement on the physical protection of nuclear material and transport facilities which had been initiated by the International Atomic Energy Agency, as well as of article 56 of Additional Protocol I to the Geneva Conventions of 1949 (A/32/144, annex I).

59. It was also suggested that the Committee should consider the problem of the punishment of terrorists and the strengthening of agreements and procedures to ensure that suspects were properly brought to trial. In this connexion, mention was made of the problem faced by small countries which had the will but lacked the capacity effectively to implement the safe-haven rule. A small State which apprehended terrorists receiving assistance from a well-armed and well-financed international network could become the target of reprisals on the part of the supporting criminal group and might find it very difficult to bring the offenders to trial without external help. In such cases, it was stated, more powerful States should be prepared to accept the responsibility of ensuring that international criminals were brought to justice.

III. REPORT OF THE WORKING GROUP OF THE WHOLE

60. As indicated in paragraph 10 above, the *Ad Hoc* Committee decided at its 13th meeting, on 21 March 1979, to set up a Working Group which would first consider the question of the

---

[15] *Ibid.*, Twenty-eighth Session, Supplement No. 28 (A/9028), p. 28.

underlying causes of international terrorism and would then turn to the question of the practical measures to combat terrorism, as provided in paragraph 7 of General Assembly resolution 32/147. It was agreed that the officers of the *Ad Hoc* Committee would serve in their respective capacities in the Working Group.

61. The Working Group held 10 meetings between 26 March and 5 April. In accordance with the decision referred to above, it examined the question of the underlying causes of international terrorism at its first four meetings held between 26 and 29 March.

62. At its first and second meetings the Working Group had an exchange of views on the orientation and aim of its work. A number of delegations emphasized the importance of identifying the causes of international terrorism before taking any practical action. They stressed that the eradication of terrorism and violence could be achieved only as part of a process designed to extirpate the roots of evil and wipe out its underlying causes. They found it difficult to follow the thread of an argument to the effect that it was important to take urgent measures against international terrorism without endeavoring to eliminate its causes, and added that, without wishing in any way to impede the efforts of the international community in its struggle against terrorism, they did not intend to associate themselves with hasty action which would only aggravate the manifestations of the phenomenon while maintaining the illusion that the necessary measures had been taken. The remark was also made that in undertaking a study of the underlying causes of international terrorism the *Ad Hoc* Committee was acting in full consonance with the mandate given to it in paragraph 7 of General Assembly resolution 32/147. It should not shirk its task, particularly since the most obvious causes of international terrorism referred to by a number of speakers in the general debate as well as in the written observations of many Governments, could at least be dealt with without any need for further academic study.

63. Other delegations noted that the search for the underlying causes of international terrorism was based on the assumption that understanding its causes was useful in striving for the complete elimination of terrorism, though not a pre-condition to taking significant steps to deal with aspects of the problem. They observed however that the logic of this proposition should not be allowed to obscure the immense practical difficulties in precisely identifying the causes of terrorism. Attention was drawn in particular to the complexity of the phenomenon and the even greater complexity of its causes. The question, it was observed, was multifaceted and involved a myriad of factors, not only of a political but also of a sociological, economic and psychological character. In this connexion it was asked whether those aspects of terrorism coming under the heading of the causes were not mostly national in character and as such outside the purview of the *Ad Hoc* Committee. It was also observed that the question of the causes of international terrorism was a scientific matter, and the question was asked whether a body composed of diplomats and lawyers who were concerned with policy formulation was really qualified to handle the problem of the causes of international terrorism without being guided by scientific inquiry. The view was also expressed, however, that in a committee of this nature statements would necessarily reflect a political perception of the problem. The suggestion made in the course of the general debate to the effect that a group of experts, rather than a committee consisting of representatives of Governments, should study the underlying causes of international terrorism was reiterated in the Working Group. Doubts, however, were expressed as to the advisability of making a recommendation to set up such a group, since it was the Committee itself which was entrusted by the General Assembly with the task of studying those causes and it was said that experts could be included in the delegations of States members of the Committee.

64. Still other delegations stressed that, despite the difference of opinion which still persisted,

it appeared to be agreed that an effective campaign against international terrorism presupposed two-fold action: in the first place, a study of the causes of the phenomenon so as to correct the situations which were a breeding ground for terrorism and, secondly, the formulation of effective measures to prevent and punish acts of international terrorism. They noted in this respect that the General Assembly had shown its wisdom by including the two tasks-in the Committee's programme of work. The study of the underlying causes of international terrorism, it was added, could only throw more light on the whole question by drawing attention to certain situations which were likely to give rise to violent reactions and by helping to clarify the concept of international terrorism.

65. In the view of some delegations, the *Ad Hoc* Committee would have complied with the mandate given to it by paragraph 7 of General Assembly resolution 32/147 if it held an exchange of views on the underlying causes of international terrorism and reported the main trends existing in this regard to the Assembly. It would be unrealistic on its part to try to say the last word on such a complex question, and paragraph 10 of resolution 32/147 should be interpreted in a reasonable way in terms of the practical recommendations to combat terrorism which the international community could realistically be expected to agree upon.

66. Other representatives, while recognizing that under paragraph 7 of resolution 32/147 the *Ad Hoc* Committee was to conduct a study of the underlying causes of international terrorism and that such a study would undoubtedly serve a useful purpose in clarifying the various positions existing, felt that the *Ad Hoc* Committee should not limit itself to a mere analysis of the causes of the phenomenon but should also, in accordance with paragraph 10 of resolution 32/147, come up with recommendations for the elimination of those causes.

67. Although the discussion during the first two meetings focused on the orientation of the work in relation to the causes of international terrorism, one delegation made a general statement on the substance of the question. It observed that, while it was important to examine both the causes of terrorism and the means of putting an end to it, it was also important first of all to define the concept of a terrorist act. Emphasizing the diversity of targets of the acts in question and the complexity of their motivation, it added that three main groups of causes of the phenomenon could be distinguished: first, terrorism manifested itself when a claim could not be expressed through legal channels because the regulations in force made it impossible to state any claim; it also manifested itself when such a course was chosen on the basis of considerations of effectiveness (publicity, anticipated result); lastly, it could be related to psychological causes when that course was chosen despite the existence of effective means for the legal expression of claims.

68. Some delegations said that dissent, even by violent means, should not be equated with terrorism. The acts on which the *Ad Hoc* Committee should concentrate were those acts of violence which were inadmissible in terms of a broad consensus of the international community.

69. At its 3rd and 4th meetings, the Working Group considered a working paper (A/AC.160/WC/R.1) submitted by Algeria, Barbados, India, Iran, Nigeria, Panama, the Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia, Zaire and Zambia. This working paper read as follows:

"Working paper on underlying causes of international terrorism

"With a view to discharging the mandate entrusted to the *Ad Hoc* Committee on International Terrorism under General Assembly resolution 3034 (XXVII) of 18 December 1972 and implementing paragraph 7 of resolution 32/147 of 16 December 1977, the following list of the underlying causes of international terrorism is presented as a contribution to the work

of the *Ad Hoc* Committee.

"This should not affect the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination and the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the organs of the United Nations.

"The struggle of liberation movements comes within the purview of the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977 and cannot be identified with terrorist acts.

II

DESIRE FOR DOMINATION, EXPLOITATION, EXPANSION, HEGEMONY, IMPERIALISM, ETC. WHICH RESULT IN:

"(A) Causes of a political character

"1. Colonialism and maintenance of colonial domination,

"2. Racism, racial discrimination, policy of *apartheid* and genocide,

"3. Aggression, use of force contrary to the Charter of the United Nations and violation of the political independence, national sovereignty and territorial integrity of States,

"4. Occupation of foreign territories and foreign domination over these territories and their peoples,

"5. Interference in the internal affairs of other States,

"6. Massive terror over peoples with a view to imposing domination and resulting in an exodus of populations,

"7. Fascism and neo-fascism,

"8. Policy of expansionism and hegemony.

"(B) Causes of an economic and social character

"1. Persistence of an unjust and inequitable international economic order,

"2. Foreign exploitation of the natural resources of a country,

"3. Systematic destruction by a foreign Power of a country, its population, its flora and fauna, its means of transport, its economic structure, etc.,

"4. Existing political, social and economic injustices and exploitation,

"5. Massive violation of human rights, mass imprisonments, use of torture, reprisals, etc.,

"6. Poverty, hunger, misery, frustrations, etc."

70. A number of delegations considered this paper interesting and useful in providing a framework for the discussion of the question. The view was expressed that it was of particular importance to have in the paper a distinction made between the two categories of the underlying causes: one being political causes and the other one being economic and social. It was suggested that one more cause should be added to the list contained in the working paper, namely the connivance of States with regard to acts of groups and organizations of a Fascist, neo-Fascist and Zionist character and the refusal to take effective measures against those acts.

71. Other members of the Working Group, while appreciating the effort made by the co-sponsors, considered that the approach reflected in the working paper constituted an *a priori* judgement and not only did not carry out the mandate of the Committee to study the causes of certain forms of international terrorism but also did not adequately respond to the complexities of the problem. According to this opinion, terrorism was dynamic and complex and its causes were even more so, and while the Committee might usefully identify certain conditions which

were conducive to terrorism, the problem did not lend itself to the listing technique or, indeed, to an exclusively political perception; no list, it was added, could be comprehensive or definitely describe the complicated links between those conditions and the terrorist acts themselves, and a partial and subjective inventory of the causes of the phenomenon was likely to create more problems than it would solve.

72. The co-sponsors however pointed out that their working paper, as was clearly indicated in its first paragraph, was presented as a mere contribution to the work of the *Ad Hoc* Committee and was not intended to be exhaustive or limitative. They added that they were open to any suggestions which might improve their text or make it more comprehensive. At this stage, they had concentrated on what they considered to be the main causes of those forms of international terrorism which endangered peace and security and threatened innocent lives. The working paper admittedly reflected a political approach but that was only natural in dealing with a problem which was universally recognized as involving political elements and was being considered within a political body. It was also pointed out that the listing of the causes contained in the working paper was not in any way intended to justify acts of international terrorism.

73. The discussion concentrated on three main themes as indicated below.

74. With respect to the working paper as a statement of the causes of international terrorism, some delegations took the view that the paper rightly concentrated on acts of violence of public purpose and international significance, leaving aside isolated acts of terrorism committed for private gain or profit or by mentally ill individuals. They pointed out that the situations referred to in the paper had in common the fact that they were situations of intolerable curtailment of political, economic or social freedoms or of continued exploitation, subjugation or injustice resulting from such factors as oppression, occupation and racism. In their view, colonial, racial or *apartheid* policies or economic exploitation of the less developed peoples of the world necessarily resulted in the emergence of organized resistance movements determined to counter such policies; thus, it was observed, one act of terrorism begat another act of terrorism and organized resistance movements could not be expected to disappear as long as Governments did not desist from pursuing oppressive political and economic policies.

75. Other delegations maintained that whereas a number of the situations described in the list might in certain circumstances and combined with other factors constitute a breeding ground for terrorists, there were other situations not touched upon in the list which could equally provide a breeding ground for terrorists. They further observed that on the one hand the acts of oppression or situations of deprivation referred to in the paper did not automatically lead to terrorist acts and that on the other hand terrorism sometimes occurred even in the absence of any form of violence or oppression. Reference was made in this connexion to the emergence in highly developed countries of organized terrorist groups and to the results of a study conducted in 1977 on 350 identified terrorists from various parts of the world from which it appeared that the average terrorist was a young male aged 22 to 24 having at least some university education usually in the humanities and coming from a middle-class family. Attention was also drawn to the role played by the mass media in giving wide publicity to terrorist acts, thereby often meeting the very purpose of these acts.

76. Other delegations which disagreed with the general approach reflected in the working paper further noted the absence in the list of elements they felt to be important relating (1) to the granting by certain countries of a safe haven to perpetrators of acts of international terrorism and (2) to the lending by certain Governments of material, political and financial support to agents of international terrorism. It was also noted that the term "neo-fascism" required

definition.

77. The second theme of the discussion related to the problem of causation.

78. Some delegations stressed that the working paper did not take into account all the mechanisms or motives which could lead an individual placed in a given situation to commit an act of terrorism, and drew attention to the subtle relationship of cause and effect which existed in this whole area. The first element in that relationship must be a perceived grievance originating in a wrong or an abuse, although a grievance might be felt even in the absence of any identifiable underlying political, social or economic cause, in which case there was no identifiable cause to the act; the grievance led to a desire for redress and - where no institutional means of redress existed or where the aggrieved felt those means to be ineffective - resort to extra-legal means which could be peaceful (e.g. civil disobedience) or violent; even then resorting to violence could take forms other than terrorism (e.g. violent demonstrations). Thus, in the view of those delegations, new factors came into play at each step in the relationship of cause and effect, from the perception of a grievance to the decision to commit an act of terrorism. Those factors, it was observed, were crucial in determining whether or not a terrorist act occurred as a result of particular political, social and economic causes. In this connexion, some delegations said that they could not endorse the view that the desire for domination, exploitation, etc. referred to in the working paper had as its necessary consequence international terrorism. The causation link was also felt to be particularly loose in the case of points A 3, 5 and 8 or even non-existent in the case of point B 2.

79. Other delegations, while noting with satisfaction that it seemed widely agreed within the Working Group that the situations referred to in the working paper might be breeding grounds for international terrorism, maintained their view that these situations constituted the main causes of international terrorism. While admitting that there were two approaches to international terrorism, one focusing on the acts of individuals and the other on State terrorism, and while recognizing that the working paper reflected only the second approach, they emphasized that in their view State terrorism was a reality and therefore not be ignored. In their opinion any Government that engaged in acts of violence or threats of violence in order to achieve its colonial, racial or *apartheid* policies was committing acts of terrorism, particularly if the act was carried out in such a way as to subjugate the will of a people against those policies. Among the causes which led States to pursue such policies the co-sponsors had highlighted the desire for domination, exploitation, expansion, hegemony and imperialism. In this connexion, it was pointed out that the working paper emanated from countries which had all, at one point or another and in varying degrees, been the victims of exploitation and that it would be irresponsible not to take duly into consideration the experience on which it was based.

80. In commenting on the causation aspect, some delegations referred to the question of the availability of institutional means of redress. The view was expressed that a difference should be made between terrorism directed at democratic régimes where institutional means of redress existed and popular upsurge against oppressive régimes and that although terrorism was never justified, resort to violence was particularly inadmissible in democratic societies. The best way to combat terrorism, it was stated, was to strengthen democratic institutions and promote social justice.

81. Some delegations stressed that where institutional means of redress existed the individual with a grievance would usually express his opposition through them. This, it was pointed out, brought into the picture the factor of personal choice, i.e. what led a person - particularly if effective institutional means of redress were available - to take a terrorist path, while his equally

wronged brother did not. Doubts were however expressed on the idea that desperate individuals actually made a deliberate choice in resorting to terrorism when other avenues of redress had been exhausted. Reference was made to the experience of countries which had been subjected to colonial rule and had resorted to non-violent means of protest. The question was asked whether, had those non-violent means not received a positive response from the colonial rulers, the ensuing violence could really have been ascribed to individual choice rather than to the option of the rulers for the path of self-righteousness and self-interest.

82. The third theme of the discussion related to paragraphs 2 and 3 of section I of the working paper. Many representatives reaffirmed their support for the struggle of all peoples under colonial and racist régimes and other forms of alien domination and in particular the struggle of national liberation movements for self-determination and independence and stressed that they could not endorse any condemnation of international terrorism which would cast doubt on the legitimacy of that struggle.

83. Other delegations said that while respecting the right to self-determination, they did not think there could be any exception implicit, explicit or even apparent to the condemnation of acts which, one representative recalled, it had been proposed to define as heinous acts of barbarism. The view was further expressed that the Committee's mandate was not directed to resistance to or to the struggle against oppression but was directed to the use of terrorism in whatever context it took place.

84. At its 5th to 10th meetings, held between 30 March and 5 April 1979, the Working Group considered the question of the practical measures to combat terrorism. It had before it working papers submitted respectively by the United Kingdom of Great Britain and Northern Ireland (A/AC.160/WC/R.2), the United States of America (A/AC.160/WC/R.3), Sweden (A/AC.160/WC/R.4) and Uruguay (A/AC.160/WC/R.5), as well as oral suggestions.

85. General comments were made on the orientation of the work of the *Ad Hoc* Committee in this area as well as on the general approach reflected in the above-mentioned working papers.

86. Several delegations referred to the mandate given to the *Ad Hoc* Committee by General Assembly resolutions 3034 (XXVII) and 32/147 under which the Committee should first study the underlying causes of international terrorism and then recommend practical measures to combat it. It was noted that many delegations had stressed that the elaboration of such practical measures should be carried out concurrently with a thorough study of the fundamental causes underlying the phenomenon and should first be aimed at removing the causes giving rise to international terrorism, in particular, colonialism, foreign occupation and *apartheid*.

87. Some delegations while sharing the view that as long as the situations referred to in the working paper on underlying causes of international terrorism (A/AC.160/WC/R.1, reproduced in para. 69 above) persisted, the victims of those situations would resort to every means at their disposal, however illusory, in order to obtain at least a semblance of liberation and redress, expressed pessimism as to the likelihood of reaching agreement on practical solutions to a problem which was politically highly sensitive. Strenuous efforts had been made and many proposals had been submitted, some at the 1973 session of the *Ad Hoc* committee, others at the current session. Yet no solution was in sight and it was clear that notwithstanding the invitation addressed to States in resolution 3034 (XXVII) "to consider the subject matter urgently", the vast majority of Member States did not consider the problem as urgent. Since terrorism, far from diminishing, became more dangerous as science progressed, some delegations considered that it would be useful to enlist the help of highly experienced experts to prepare a preliminary programme of measures on the basis of the various documents available.

88. Several delegations insisted on the need to distinguish in dealing with practical measures

between national and international terrorism. It was said in this connexion that the working paper submitted by the United Kingdom referred in some of its points to "terrorism" and that such an all-embracing approach would not be helpful. Attention was also drawn to the fact that the term "terrorism" was liable to diverse interpretations, depending on varying philosophical, political and psychological perceptions. "Terrorism", it was added, was a loaded term which had been used not only by the agents of racism, colonialism and oppression to qualify resistance to their policies but also by dictatorial régimes to cast aspersion on their opponents. Care should therefore be taken that efforts intended to protect innocent lives should not result in curtailment or negation of the fundamental freedoms of other individuals. It was also observed that any practical measures in this area should be without prejudice to Article 2, paragraph 7 of the Charter.

89. Reference was further made to the need to distinguish between acts of international terrorism falling within "the common law" (relevant du droit commun) and the alleged terrorism of national liberation movements. Objection was raised in this connexion to the approach reflected in the working papers before the Committee which tended to equate both types of acts. Liberation movements, it was maintained, were legitimate, although legitimizing them was not tantamount to approving individual acts of international terrorism that might be laid at the door of those movements. It was, however, pointed out that an effort had been made throughout the debate to avoid confusion between a struggle - even an armed struggle - against oppression and heinous acts which, whoever committed them, were utterly impermissible. It was at those acts that practical measures to combat terrorism should be directed.

90. Some delegations said that the various working papers before the Working Group Obviously referred only to acts of terrorism committed by individuals either in isolation or as members of a group. In their view, the practical measures to be worked out by the *Ad Hoc* Committee should cover state as well as individual terrorism. Other delegations held that it was not desirable to deal in this context with state terrorism. It was said in particular that that concept was extremely difficult to define, that the situations referred to as state terrorism were being dealt with in other United Nations bodies and that it was beyond the mandate of the Committee to deal with state terrorism in any meaningful manner. It was for each State to eliminate terrorism practice within its own jurisdiction and the General Assembly could only urge States to make every effort to eliminate the underlying causes of international terrorism.

91. The view was also expressed that individual terrorism and state terrorism might appear to be very different concepts in any discussion on terrorism or in any attempt at defining this term. The difference, however, might not be so great when one came to the concrete question of the measures to be taken. When an individual acting on behalf of a State committed an act of terrorism, he was ultimately to bear responsibility for this act and the principle of prosecution or extradition could apply to him.

92. Specific comments were also made on the various working papers and oral suggestions before the Working Group.

93. The working paper submitted by the United Kingdom (A/AC.160/WC/R.2) read as follows:

"ELEMENTS OF POSSIBLE RECOMMENDATIONS FOR CO-OPERATION TO COMBAT INTERNATIONAL TERRORISM

"1. To recommend to States which have not yet done so to become parties to the existing international conventions which relate to various aspects of the problem of international terrorism, namely the Convention for the Suppression of Unlawful Seizure of Aircraft,

signed at The Hague on 16 December 1970; the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971; and the Convention for the Prevention and Punishment of Crimes against Internationally Protected Persons, adopted at New York on 14 December 1973.

"2. To recommend to regional organizations that they consider measures to combat terrorism within their own regions, such as those adopted by the Organization of American States in the Convention to prevent and punish the acts of terrorism taking the form of crimes against persons and related extortion that are of international significance and by the Council of Europe in the European Convention on the Suppression of Terrorism.

"3. To urge States to strengthen and make more effective their existing national measures to combat international terrorism.

"4. To urge States to co-operate more closely in the exchange of relevant information on terrorist activities.

"5. To request the Secretary-General to prepare a compilation of national legislation dealing with the combating of domestic and international terrorism, and request Member States to provide the Secretary-General with the relevant information.

"6. To urge States and international organizations to co-operate in devising more effective security measures to protect facilities and installations vital to public health, safety, welfare and commerce.

"7. To emphasize the duty of States to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts."

94. This working Paper generally met with favorable response. It was considered as constructive and as offering a good basis for future work.

95. Point 1 met with general approval. In this connexion it was observed that while it was true that the Conventions referred to had a relatively large number of parties, there was still merit in stressing their significance and calling for even wider participation. The broader the network of obligations requiring States to extradite or to prosecute, the more difficult it would be for terrorists to escape the consequences of their acts.

96. Some delegations pointed out that efforts should be aimed not only at increasing the number of parties to the instruments in question but also at ensuring strict compliance with their provisions. Some States parties to the International Civil Aviation Organization Conventions, it was stated, had failed to comply with their obligation under those Conventions to extradite hijackers, thus hampering efforts to combat international terrorism and condoning, for political and other reasons, acts which resulted in the sacrifice of human lives.

97. Attention was, however, drawn to the fact that under none of the Conventions mentioned in point 1 was a State party under the obligation to extradite an offender. If a State party chose to prosecute rather than extradite, it had fulfilled its obligation under the Conventions.

98. Some delegations considered it important to encourage the conclusion of bilateral and multilateral agreements providing for the immediate surrender of criminals to those States of which they were nationals.

99. Point 2 was supported by some delegations which stressed that both the Council of Europe and the Organization of American States had established good precedents for dealing with terrorism on a regional basis and that regional action could make an important contribution towards combating terrorism. Reservations were however expressed on this point. It was observed in particular that the European Convention on the Suppression of Terrorism had met with mixed reactions in the Council of Europe and that it would be better to stress in general

terms the need for co-operation between States on a regional basis.
100. In connexion with point 3, the view was expressed that individual States had a major role to play in fighting international terrorism and that the suggested review by States of their legislation and administrative practices would therefore be extremely useful. It was also stated that since States were primarily responsible for the security of their citizens, it was first and foremost within the framework of national legislating that effective measures should be taken. It was indispensable that all national legislating should establish the criminal responsibility of perpetrators of acts of international terrorism and provide for severe penalties for such acts and that measures be taken at the national level to prevent the activities of Zionist and nationalist subversive centres and Fascist and Nazi groups which were still finding protection and refuge in certain States, as well as to protect the representatives of foreign States.
101. With respect to points 4 and 5, some representatives said that the *Ad Hoc* Committee should only deal with international terrorism, as indicated in paragraph 88 above and it was suggested to replace in point 4 "terrorist activities" by "international terrorism" and to delete in point 5 the word "domestic."
102. Regarding point 6, it was suggested that it be made more precise and clearer through the addition of examples. Reference was made in this connexion to article 56 of Protocol I to the Geneva Conventions of 1949 which gave special protection to "works or installations" such as nuclear power plants and dams (A/32/144, annex I, p. 40). It was further suggested that point 6 might also refer to material that might fall into the wrong hands and be misused by terrorists.
103. As to point 7, it was recognized that the principle contained therein, which was a variation of the principle of non-interference in the internal affairs of States and contained an idea also to be found in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, was one to which the international community attached great importance and that there was therefore merit in reaffirming it. The observation was however made that the proposed text did not faithfully follow the wording of the above-mentioned Declaration and that either the exact wording should be used or a general reference to the duty of States to comply with the Declaration should be substituted.
104. The working paper submitted by the United States (A/AC.160/WC/R.3) read as follows.

"PROPOSED RECOMMENDATION FOR CO-OPERATION TO COMBAT INTERNATIONAL TERRORISM

To draft an additional international convention, based on the principle of prosecution or extradition, to prohibit acts of international terrorism involving acts against the life, physical integrity, or liberty of another person and other acts which result in the violent destruction of property, or in interference with facilities and installations vital to public health, safety, welfare and commerce."
105. Several delegations expressed support for this proposal. Some of them insisted on the need to delimit clearly the scope of the envisaged convention and to confine it to particularly serious and heinous acts. Others said that the proposed instrument, which would evidently deal with acts of individuals or groups of individuals, ought to include in its preamble or in the accompanying resolution a condemnation of state terrorism as well as an appeal to the Security Council to apply the provisions of Chapter VII of the Charter to terrorist régimes which endangered international peace and security; it should also, it was added, contain a provision concerning the peoples fighting against colonial domination and alien occupation and against racist régimes, modeled on the parallel clause appearing in the draft convention against the taking of hostages.

106. Other delegations however considered the proposal contained in the United States working paper as far too vague and excessively broad in scope. In their opinion, there should be some clarification as to the area of activity any new convention would be intended to cover. An instrument of general application would run the risk of overlapping with existing conventions and thus create some confusion. The alternative was to draft an instrument dealing with specific types of terrorism not yet covered by existing conventions, but there might then be difficulty in agreeing on what those types of terrorism were.
107. The sponsor of the proposal explained that in his delegation's intention the proposed new instrument was to deal with acts not yet covered by existing conventions and that his delegation would at a later stage attempt to identify specific acts which required international action.
108. The working paper submitted by Sweden (A/AC.160/WC/R.4) read as follows:

"PROPOSED RECOMMENDATION FOR CO-OPERATION TO COMBAT TERRORISM

"To call attention to the fact that the United Nations organs which are responsible for the protection of human rights can effectively contribute to eliminating those causes of terrorism which consist in oppression of groups and individuals or in other serious violations of human rights and fundamental freedoms."

109. The sponsor of this working paper indicated that, in his opinion, state terrorism was more of a national than of an international character inasmuch as it related to cases where a minority, a specific group or class of individuals or sometimes an entire population was oppressed by those in power and had its fundamental rights and freedoms curtailed or negated. He therefore suggested that the Committee could perhaps agree to refer to state terrorism in an indirect way and bring it to the attention of the Assembly by way of a recommendation stressing the importance of the ongoing work of United Nations bodies responsible for the protection of human rights.
110. Some delegations found the idea behind this working paper interesting. Other delegations however expressed surprise at this proposal which, in their view, served the interests of mythical groups and certain individuals instead of the interests of peoples carrying out national liberation struggles.
111. The working paper submitted by Uruguay (A/AC.160/WC/R.5) read as follows:

"(1) To ask the Secretary-General to provide, in addition to the proposed compilation of national legislation dealing with the combating of domestic and international terrorism, statistics on the victims (injured and killed) of terrorist attacks and on losses of property and money (in United States dollars) occasioned by robbery, kidnaping, extortion and other illicit means;

"(2) To urge the Secretariat to strengthen and make more effective existing measures to control access by terrorists to all United Nations premises, particularly to those meetings at which matters directly related to the consequences of acts perpetrated by them in countries where they have operated are discussed."

112. The sponsor of this working paper explained that point (1) thereof elaborated on point 5 of the United Kingdom working paper and that the envisaged compilation, if it were accompanied with statistical data, would not only be of help to the countries which lacked the necessary facilities to undertake widespread research into national legislating but would also give an accurate idea of the magnitude of the problem. Point (2) of the working paper aimed at exerting stricter control on the access of terrorist elements to United Nations premises. It was important to ensure that United Nations bodies dealing with questions related to international terrorism should not be disturbed in the carrying out of their tasks.

113. Several delegations expressed doubts on point (1) of this proposal. In their view, it was not advisable to disseminate information on acts of international terrorism and give them undue publicity; neither did it seem appropriate to adopt a quantitative approach to a problem which should essentially evoke moral condemnation. As a compromise formula the sponsor suggested to replace in his original text the words "To ask the Secretary-General to provide, in addition to the proposed compilation of national legislation dealing with the combating of domestic and international terrorism, statistics..." by the words "To ask the Secretary-General that in addition to providing the proposed compilation of national legislation dealing with the combating of domestic and international terrorism, the request from Member States the necessary official information to establish statistics..." It was agreed that the idea behind point (1) of the working paper would be reflected in an appropriate manner in the recommendations of the Committee. On point (2), it was agreed that its content would be brought to the attention of the Secretary-General by the Chairman in a letter which would reproduce its terms.

114. Finally, the following measures were proposed orally to prevent and combat international terrorism:

1. Co-operation on the multilateral plane - co-ordination of action within the United Nations, drafting of international conventions, etc.

2. Co-operation on the regional level - drafting of regional conventions, regional agreements to prevent and to combat terrorism, etc.

3. Bilateral co-operation - exchange of information, incorporation of special clauses into appropriate bilateral treaties, conclusion of special treaties, co-ordination of actions, etc.

4. Ratification and implementation of existing conventions relating to the struggle against terrorism.

5. Undertaking of appropriate measures on the national plane - harmonization of domestic legislation with international conventions, implementation of assumed international obligations, prevention of the preparation and organization in one's own territory of facts directed against other States.

115. Those proposed measures were considered as deserving serious attention and as a possible basis for the adoption of practical measures to combat international terrorism.

116. At the concluding stage of the work of the Working Group, there was a general feeling that within the existing limitations and despite them, some steps must be taken within the *Ad Hoc* Committee in an effort to save innocent lives. To that effect the Working Group considered, together with various informal proposals, the following draft resolution submitted by India (A/AC.160/WC/R.6):

"*The General Assembly*,

"*Recalling* its resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976 and 32/147 of 16 December 1977,

"*Recalling also* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

"*Deeply concerned* over continuing acts of international terrorism involving unwarranted sacrifice of innocent human lives,

"*Convinced* of the importance of international co-operation for dealing with acts of international terrorism,

"*Having examined* the report of the *Ad Hoc* Committee on International Terrorism,

"1. *Draws the attention* of all States to the underlying causes of acts of international terrorism referred to in the report of the *Ad Hoc* Committee;

"2. *Urges* all States, unilaterally and in co-operation with other States to contribute to the

progressive elimination of the underlying causes and to seek just solutions to situations that give rise to acts of international terrorism;

"3. *Commends* the practical measures of international co-operation recommended in the report of the *Ad Hoc* Committee for dealing with acts of international terrorism;

"4. *Requests* all States and regional organizations to examine ways and means of implementing the recommended practical measures, and to take appropriate action to introduce suitable measures, nationally and regionally, for combating international terrorism and to report to the Secretary-General of the United Nations on the actions taken by them, including national legislation;

"5. *Considers* that the question of an additional International Convention to prohibit acts of international terrorism deserves further study;

117. On the basis of the above-mentioned draft resolution and informal proposals and after intensive informal consultations in which the Chairman, in co-operation with the representative of Yugoslavia, acted as coordinators, the Working Group agreed on the recommendations reproduced in section IV below.

IV. RECOMMENDATIONS OF THE *AD HOC* COMMITTEE

118. The *Ad Hoc* Committee on International Terrorism, expressing its deep concern over continuing acts of international terrorism involving sacrifice of innocent human lives, recognizing the importance of international co-operation in preventing their occurrence and recalling General Assembly resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976 and 32/147 of 16 December 1977, submits to the Assembly, in the light of its report, the following recommendations relating to practical measures of co-operation for the speedy elimination of the problem of international terrorism:

1. The General Assembly should unequivocally condemn all acts of international terrorism which endanger or take human lives or jeopardize fundamental freedoms.

2. The General Assembly should take note of the study of the underlying causes of international terrorism as contained in the report of the *Ad Hoc* Committee.

3. The General Assembly should urge all States, unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of the causes underlying international terrorism.

4. The General Assembly should call upon all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State, or acquiescing in organized activities within its territory directed towards the commission of such acts.

5. The General Assembly should appeal to States which have not yet done so to become parties to the existing international conventions relating to various aspects of the problem of international terrorism, specifically the Convention on Offences and Certain Other Acts Committed on Board Aircraft,[16] signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft,[17] signed at The Hague on 16 December 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation,[18] signed at Montreal on 23 September 1971, and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic

---

[16] United Nations, Treaty Series, vol. 704, No. 10106, p. 219.

[17] United States Treaties and Other International Agreements, vol. 22, part 2 (1971), p. 1644.

[18] *Ibid.*, vol. 24, part 1 (1973), p. 568.

Agents,[19] adopted at New York on 14 December 1973.

6. The General Assembly should invite all States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem of international terrorism such as the harmonization of domestic legislation with international conventions, the implementation of assumed international obligations, and the prevention of the preparation and organization in one's own territory of acts directed against other States.

7. The General Assembly should recommend to appropriate specialized agencies and regional organizations that they consider measures to prevent and combat international terrorism within their respective spheres of responsibility and regions.

8. The General Assembly should urge all States to co-operate with one another more closely, especially through the exchange of relevant information concerning prevention and combating of international terrorism, the conclusion of special treaties and/or the incorporation into appropriate bilateral treaties of special clauses, in particular as to the extradition or prosecution of international terrorists.

9. The General Assembly should request the Secretary-General to prepare a compilation on the basis of material provided by Member States of relevant provisions of national legislation dealing with the combating of international terrorism.

10. The General Assembly should consider the need for an additional international convention or conventions based, *inter alia*, on the principle of extradition or prosecution to combat acts of international terrorism not yet covered by other similar international conventions. In that connexion, the inclusion, *mutatis mutandis*, of similar provisions in comparable conventions and current drafts in related fields might be considered, including the provision in the draft convention on the taking of hostages, which refers to Additional Protocol I to the Geneva Conventions of 12 August 1949[20] concerning peoples fighting against colonial domination, alien occupation and racist régimes.

11. In order to contribute to the elimination of the causes and problem of international terrorism, the General Assembly and the Security Council should pay special attention to all situations, including, *inter alia*, colonialism, racism and situations involving alien occupation, that may give rise to international terrorism and may endanger international stability.

119. The *Ad Hoc* Committee did not have before it statistics concerning victims, injured and killed in terrorist attacks and the monetary value of property losses occasioned by various acts of international terrorism. Such statistics would be of general interest but because of the difficulties involved in compiling this information by the Secretary-General, a suggestion to this effect has not been made. However such information, where available to Member States and non-governmental organizations, might be furnished by them directly to the Secretary-General for purposes of record.

---

[19] Resolution 3166 (XXVIII), annex.

[20] *See* A/32/144, annex I.

32. SUMMARY RECORD OF THE 14TH MEETING: 6TH COMMITTEE, HELD ON WEDNESDAY, 10 OCTOBER 1979, NEW YORK, U.N. Doc. A/C.6/34/SR.14 (22 Oct. 1979)

The meeting was called to order at 10:15 a.m.

Agenda Item 113: Drafting of an International Convention Against the Taking of Hostages: Report of the *Ad Hoc* Committee on the Drafting of an International Convention Against the Taking of Hostages (continued) (A/34/39)

1. Mr. LU DINH VE (Viet Nam) noted with satisfaction that the Ad Hoc Committee had taken into account the view put forward by many delegations, that the proposed Convention should not apply to armed conflicts in which peoples were fighting against colonial domination, alien occupation, *apartheid* and racist regimes in the exercise of their right of self-determination. His delegation had already referred in the General Assembly to the appearance of a new criminal phenomenon, the taking of hostages en masse, which threatened the lives of peoples and international peace and security. During the General Assembly's thirty-third session, his delegation had proposed that it should be defined as "the act of capturing, detaining, and displacing under threat of death or extermination an entire group or community, in order to force the oppressed people to renounce the exercise of their inalienable right to self-determination and their struggle against colonialism, racism, *apartheid*, Zionism and foreign domination and occupation." He would submit the draft definition to the Ad Hoc Committee for its consideration at a later stage.

2. Mr. PIRIS (France) said that his country had declared both in the General Assembly and in the *Ad Hoc* Committee, the great importance which it attributed to the taking of hostages. Faced by the proliferation of such acts, the international community should unequivocally condemn them without exception, whether or not they were carried out as acts of terrorism, in time of peace or war, and regardless of the cause in the name of which they were perpetrated.

3. Although France had played an active part in the preparation of the draft Convention, his delegation could not join in the consensus which the *Ad Hoc* Committee had reached during its last session. The draft Convention's provisions had not been fully worked out. France had reservations about some of them and considered that others could be improved. His delegation could not be party, even provisionally, to any consensus on a draft which was not complete and which did not eliminate all possible omissions, uncertainties or ambiguities. His delegation would spare no effort to arrive at a text which was satisfactory to all.

4. Mr. ARNOUSS (Syrian Arab Republic) recalled that his delegation had participated fully in the preparation of the draft Convention.

5. He considered that the *Ad Hoc* Committee's text took full account of the legitimate struggles of peoples against colonial domination, alien occupation and racist regimes, which were a reality in today's world.

6. With regard to those items on which there was no clear consensus, Syria would cooperate in the efforts needed to complete the work. He considered that Jordan's proposal on article 9 of the draft was essential to ensure a humanitarian spirit, in accordance with the objectives of the Charter. His delegation would elaborate its points of view in the Working Group. (Mr. Arnouss, Syrian Arab Republic)

7. Articles 13 and 14 of the draft required further work to eliminate ambiguity. He was optimistic about the application of the relevant provisions on the extradition and prosecution of hostage-takers.

8. Mr. ROSENNE (Israel) said that the General Assembly had reacted positively to the

serious problems posed by the taking of hostages. They affected more than one State and nationals of several States simultaneously. No person nor country was immune. Israel was glad that the resolutions on the topic had been adopted by consensus, which it regarded as a happy omen for the Committee's work.

9. The yardstick by which the draft Convention was to be measured and which should serve as a guideline in the preparation of its definitive wording, was that set forth in the memorandum on the matter presented during the General Assembly's thirty-first session (A/31/242), and in General Assembly resolution 31/103. Some of the elements appearing in those two documents, along with the clauses suggested by the *Ad Hoc* Committee, should be incorporated in the preamble to the draft Convention. It would also be useful if the preamble contained some of the ideas found in the preamble to the 1973 Convention on the Prevention of Crimes against Internationally Protected Persons, including Diplomatic Agents, as well as the commonly found phrase on the usual application of customary international law. Whether such a preambular clause were included or not, his delegation had never accepted the position that there was a void in customary international law, since it was in the nature of law itself to prohibit the taking of hostages and the law allowed victimized States to take all necessary actions of self-defense, according to the circumstances.

10. Israel had reservations about the current wording of article 9 (c) of the draft Convention. Nevertheless, in any appropriate case in which Israel might find it necessary to request extradition under the terms of the Convention, the rights of communication of the extradited person as envisaged in that clause would be respected. The inclusion of a properly drafted clause along those lines should, therefore, cause his delegation no difficulties.

11. Yet his delegation had considerable difficulty over article 12, especially paragraph 1, principally because of the obscurity of its language and the fact that it gave rise to the delicate problem of the interrelationship of treaties, and the relativity of treaties, having different parties and dealing with different subject matters. The commentary in paragraphs 16 to 20 of the *Ad Hoc* Committee's report (A/34/39) did not assist in clarifying the topic. One source of difficulty was the specific reference to article 1, paragraph 4, of the Additional Protocol No. 1 of 19775 which was itself ambiguous. He wished to reserve his delegation's final position until the fruits of the Working Group's labours could be seen. The
important thing was that article 12 should not provide a loop-hole through which hostage-takers and States giving them refuge would be able to evade the basic principle of "prosecute or extradite."

12. Mr. QUATEEN (Libyan Arab Jamahiriya) welcomed the Ad Hoc Committee's positive achievements aimed at drafting effective measures to end the taking of hostages. In drawing up the draft Convention, the Committee had discharged the heavy responsibility placed upon it by the international community. He trusted that that draft would be adopted during the General Assembly's current session.

13. Those matters still to be settled by the Committee were insignificant in comparison with the already resolved complex and delicate problems of national liberation movements, and of respect for the principles of sovereignty and the territorial integrity of States with regard to the release of hostages. Prolonged consultation had led to a formula acceptable to all, which had facilitated the solution of less important matters. Nevertheless, the matters relating to the Convention's preamble, extradition and the right of asylum were still unresolved.

14. There was no real controversy about the preamble; it was merely that lack of time had made it impossible to complete the drafting. Consequently, the Working Group immediately on that text.

15. As to extradition, the Jordanian text included in square brackets in the draft Convention was the most logical and that most appropriate to the aim in view. The Convention must have the force of law in international society, and the consideration that should guide those who drafted it, in their capacity as lawyers, was to serve justice and not to satisfy selfish interests.
16. Turning to the right of asylum, he said that any crimes involving hostage-taking covered by the definition of article I - except as provided in article 12- imposed on the State concerned the obligation to prosecute or extradite the alleged offender. Nobody opposed the idea that the State concerned should institute proceedings in accordance with its legislation. In cases where extradition was requested, article 10, paragraph 1, would apply, unless the case concerned was one f those envisaged in the text proposed by Jordan. If so, the State that did not grant extradition should take a decision on the question of prosecuting the alleged offender in accordance with its domestic law, so that in that case also the right of asylum was not affected. When the matter was not one of hostage-taking, but of a political offence, no provision in the draft Convention conflicted with the right of asylum. Consequently article 14 should raise no problems, since the text was merely explanatory, and perhaps even superfluous.
17. Mr. HERNDL (Austria) welcomed the *Ad Hoc* Committee's solid and balanced report on the drafting of an international Convention against the taking of hostages. The Committee had finally arrived at a meeting of minds which seemed to indicate that the joint efforts to protect innocent people by curbing and stamping out that odious phenomenon were close to achieving their goal. Austria had supported all the efforts of the international community, in particular those of the United Nations, to fight international terrorism and such side effects as the taking of hostages. Only international action could control such activities, which did not stop at national borders but deliberately sought to escape national jurisdiction by involving a number of States in each action.
18. The draft Convention prepared by the *Ad Hoc* Committee was the result of a consensus. Although there were exceptions to that consensus - notably articles 9 and 14 - the draft text represented a great step forward, and the balance achieved in the *Ad Hoc* Committee must not be upset. His delegation thought well of the general results of the Committee's work. However, he wished to comment on certain provisions of the draft that he would have liked to see worded differently.
19. In article 1, Austria would have preferred the definition of the act of hostage-taking to have contained a reference to the means by which the act was committed, in other words, the use of force, the threat of force, deception, or other means. However, his delegation was prepared to accept the definition in its present wording, since it covered all the essential elements.
20. It was regretted that in article 2 it was not specified, as it had been in earlier versions, that States should impose severe penalties for the offence of hostage-taking. In providing that each contracting State should impose appropriate-ties which took into account the grave nature of the offence, the *Ad Hoc* Committee had followed the example of the 1973 New York Convention on the Prevention, and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, but it had ignored the precedents of the 1970 Hague Convention on the Suppression of Unlawful Seizure of Aircraft and the 1971 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. His delegation stated unequivocally that, as the offences defined in article I were of the most serious nature, States had the obligation under article 2 to apply adequate punishment, in other words, a severe penalty.
21. Article 5 should have referred to related offences. His delegation, bearing in mind the

debate on that question in the *Ad Hoc* Committee, would not press that but wished to emphasize that, as indicated in its statement in 1978, it fully shared the view of the representative of the Netherlands, who had proposed that the provision should include an appropriate mention of "any other serious act of violence committed in connexion with such offences by the alleged offender against the hostage causing death or bodily injury". (Mr. Herndl, Austria)

22. There appeared to be no justification for the limitation established in article 5, paragraph I (d), which provided that for the offences set forth in article the State of which the hostage was a national should have jurisdiction, if that State considered it appropriate. That provision could create situations where a double standard was applied, which should be avoided.

23. In article 12 his delegation would have preferred the wording used in paragraph 21 of the *Ad Hoc* Committee's previous report (A/33/39).

24. His delegation understood the attitude of the delegations that had proposed articles 9 and 14, but considered that careful thought should be given to those questions. It was to be hoped that the Working Group would arrive at a solution acceptable to all.

25. In conclusion he said that the draft Convention was an acceptable compromise and contained texts with which Austria was essentially in agreement. Although it could be improved, it provided a solid basis for the Working Group and the Sixth Committee, and every effort should be made to complete the Convention during the current session of the General Assembly. Thus an appropriate instrument would have been provided for effective international co-operation to curb the taking of taking of hostages.

26. Mr. DROUSHIOTIS (Cyprus) said he was gratified that the *Ad Hoc* Committee had successfully completed its work on the preparation of a draft international Convention against the taking of hostages. The *Ad Hoc* Committee had succeeded in finding satisfactory solutions to a number of problems, in particular those relating to the scope of the Convention and the question of national liberation movements. If it had had more time it would also have been able to find an appropriate solutions to the question of extradition and the right of asylum.

27. The text of article 9 of the draft Convention proposed by Jordan listed reasons for refusing extradition. Those reasons were established in legal systems, and should pose no difficulty for the various delegations, since the proposal did not lessen the effectiveness of the draft Convention. Although his delegation supported article 9 in its present wording, it accepted that the Working Group might suggest changes in order to secure general agreement. He must point out that the Constitution of Cyprus prohibited the extradition of its nationals. Similarly Cyprus exercised extraterritorial jurisdiction with respect to serious crimes committed by its nationals.

28. His delegation also supported article 14, since the right of asylum, which was well established in international law, should be properly reflected in the Convention.

29. Lastly, he expressed the home that the Working Group could solve the remaining questions in the spirit of compromise and goodwill that had predominated in the *Ad Hoc* Committee, so that the General Assembly could adopt the Convention at its current session.

30. Mr. STEPANOV (Ukrainian Soviet Socialist Republic) said that the *Ad Hoc* Committee had done remarkable work in completing the draft Convention on the taking of hostages, which would help to resolve one of the main elements of the over-all problem of international terrorism. He reiterated his firm opposition to acts of international terrorism, which served no positive purpose and endangered the lives of innocent people. Although his country was prepared to join in international co-operation to prevent and punish such acts, it believed that the main responsibility in that area rested with individual States, under the terms of their domestic law. States must not allow, still less encourage or support, the perpetration of terrorist acts in other countries, or within their own territory

أهم قرارات الجمعيـــة العامـــة للأمم المتحدة ذات الصلة بمكافحة الإرهـــــاب

(استراتيجية الأمم المتحدة الشاملة لمكافحة الإرهاب)

46/51. Measures to eliminate international terrorism

The General Assembly,

Recalling its resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976, 32/147 of 16 December 1977, 34/145 of 17 December 1979, 36/109 of 10 December 1981, 38/130 of 19 December 1983, 40/61 of 9 December 1985, 42/159 of 7 December 1987 and 44/29 of 4 December 1989,

Recalling also the recommendations of the Ad Hoc Committee on International Terrorism contained in its report to the General Assembly at its thirty-fourth session,[6]

Recalling further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[7] the Declaration on the Strengthening of International Security,[8] the Definition of Aggression[9] and relevant instruments on international humanitarian law applicable in armed conflict,

Recalling moreover the existing international conventions relating to various aspects of the problem of international terrorism, *inter alia*, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963,[10] the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970,[11] the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, concluded at Montreal on 23 September 1971,[12] the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted in New York on 14 December 1973,[13] the International Convention against the Taking of Hostages, adopted in New York on 17 December 1979,[14] the Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3 March 1980, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988,[15] the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988,[16] the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988,[17] and the Convention on the Marking of Plastic Explosives for the Purpose of Detection, done at Montreal on 1 March 1991,[18]

Convinced that a policy of firmness and effective measures should be taken in accordance with international law in order that all acts, methods and practices of international terrorism may be brought to an end,

Bearing in mind Security Council resolution 638 (1989) of 31 July 1989 on the taking of hostages,

Deeply disturbed by the world-wide persistence of acts of international terrorism in all its forms, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the territorial integrity and security of States,

Calling attention to the growing connection between terrorist groups and drug traffickers,

Convinced of the importance of the observance by States of their obligations under the relevant international conventions to ensure that appropriate law enforcement measures are taken in connection with the offences addressed in those conventions,

Convinced also of the importance of expanding and improving international cooperation among States, on a bilateral, regional and multilateral basis, which will contribute to the elimination of acts of international terrorism and their underlying causes and to the prevention and elimination of this criminal scourge,

Convinced further that international cooperation in combating and preventing terrorism will contribute to the

strengthening of confidence among States, reduce tensions and create a better climate among them,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism,

Mindful also of the necessity of maintaining and protecting the basic rights of, and guarantees for, the individual in accordance with the relevant international human rights instruments and generally accepted international standards,

Reaffirming the principle of self-determination of peoples as enshrined in the Charter of the United Nations,

Reaffirming also the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination and foreign occupation, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Noting the efforts and important achievements of the International Civil Aviation Organization and the International Maritime Organization in promoting the security of international air and sea transport against acts of terrorism,

Recognizing that the effectiveness of the struggle against terrorism could be enhanced by the establishment of a generally agreed definition of international terrorism,

Taking note of the report of the Secretary-General,[19]

1. *Once again unequivocally condemns*, as criminal and unjustifiable, all acts, methods and practices of terrorism wherever and by whomever committed, including those which jeopardize the friendly relations among States and their security;

2. *Deeply deplores* the loss of human lives which results from such acts of terrorism, as well as the pernicious impact of these acts on relations of cooperation among States;

3. *Calls upon* all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in terrorist acts in other States, or acquiescing in or encouraging activities within their territory directed towards the commission of such acts;

4. *Urges* all States to fulfil their obligations under international law and take effective and resolute measures for the speedy and final elimination of international terrorism and to that end, in particular:

(*a*) To prevent the preparation and organization in their respective territories, for commission within or outside their territories, of terrorist and subversive acts directed against other States and their citizens;

(*b*) To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts;

(*c*) To endeavour to conclude special agreements to that effect on a bilateral, regional and multilateral basis;

(*d*) To cooperate with one another in exchanging relevant information concerning the prevention and combating of terrorism;

(*e*) To take promptly all steps necessary to implement the existing international conventions on this subject to which they are parties, including the harmonization of their domestic legislation with those conventions;

5. *Appeals* to all States that have not yet done so to consider becoming party to the international conventions relating to various aspects of international terrorism referred to in the preamble to the present resolution;

6. *Urges* all States, unilaterally and in cooperation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of the causes underlying international terrorism and to pay special attention to all situations, including colonialism, racism and situations involving mass and flagrant violations of human rights and fundamental freedoms and those involving alien domination and foreign occupation, that may give rise to international terrorism and may endanger international peace and security;

7. *Firmly calls* for the immediate and safe release of all hostages and abducted persons, wherever and by whomever they are being held;

8. *Calls upon* all States to use their political influence in accordance with the Charter of the United Nations and the principles of international law to secure the safe release of all hostages and abducted persons and to prevent the commission of acts of hostage-taking and abduction;

9. *Expresses concern* at the growing and dangerous links between terrorist groups, drug traffickers and their paramilitary gangs, which have resorted to all types of violence, thus endangering the constitutional order of States and violating basic human rights;

10. *Welcomes* the efforts undertaken by the International Civil Aviation Organization aimed at promoting universal acceptance of, and strict compliance with, international air security conventions, and welcomes also the recent adoption of the Convention on the Marking of Plastic Explosives for the Purpose of Detection;[18]

11. *Requests* the other relevant specialized agencies and intergovernmental organizations, in particular the International Maritime Organization, the Universal Postal Union, the World Tourism Organization, the International Atomic Energy Agency and the United Nations Educational, Scientific and Cultural Organization, within their respective spheres of competence, to consider what further measures can usefully be taken to combat and eliminate terrorism;

12. *Requests* the Secretary-General to continue seeking the views of Member States on international terrorism in all its aspects and on ways and means of combating it, including the convening at an appropriate time, under the auspices of the United Nations, of an international conference to deal with international terrorism in the light of the proposal referred to in the penultimate preambular paragraph of resolution 44/29;

13. *Also requests* the Secretary-General to seek the views of Member States on the proposals contained in his report[19] or made during the debate on this item in the Sixth Committee,[20] and on the ways and means of enhancing the role of the United Nations and the relevant specialized agencies in combating international terrorism;

14. *Further requests* the Secretary-General to follow up, as appropriate, the implementation of the present resolution and to submit a report in this respect to the General Assembly at its forty-eighth session;

15. *Considers* that nothing in the present resolution could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter of

the United Nations, of peoples forcibly deprived of that right referred to in the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination, or the right of these peoples to struggle legitimately to this end and to seek and receive support in accordance with the principles of the Charter, the above-mentioned Declaration and the relevant General Assembly resolutions, including the present resolution;

16. *Decides* to include in the provisional agenda of its forty-eighth session an item entitled "Measures to eliminate international terrorism".

67th plenary meeting
9 December 1991

UNITED NATIONS

A



General Assembly

Distr.
GENERAL

A/RES/49/60
17 February 1995

Forty-ninth session
Agenda item 142

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/49/743)]

49/60. Measures to eliminate international terrorism

The General Assembly,

Recalling its resolution 46/51 of 9 December 1991 and its decision 48/411 of 9 December 1993,

Taking note of the report of the Secretary-General, 1/

Having considered in depth the question of measures to eliminate international terrorism,

Convinced that the adoption of the declaration on measures to eliminate international terrorism should contribute to the enhancement of the struggle against international terrorism,

1. Approves the Declaration on Measures to Eliminate International Terrorism, the text of which is annexed to the present resolution;

2. Invites the Secretary-General to inform all States, the Security Council, the International Court of Justice and the relevant specialized agencies, organizations and organisms of the adoption of the Declaration;

3. Urges that every effort be made in order that the Declaration becomes generally known and is observed and implemented in full;

4. Urges States, in accordance with the provisions of the Declaration, to take all appropriate measures at the national and international levels to eliminate terrorism;

1/ A/49/257 and Add.1-3.

5. Invites the Secretary-General to follow up closely the implementation of the present resolution and the Declaration, and to submit to the General Assembly at its fiftieth session a report thereon, relating, in particular, to the modalities of implementation of paragraph 10 of the Declaration;

6. Decides to include in the provisional agenda of its fiftieth session the item entitled "Measures to eliminate international terrorism", in order to examine the report of the Secretary-General requested in paragraph 5 above, without prejudice to the annual or biennial consideration of the item.

84th plenary meeting
9 December 1994

ANNEX

Declaration on Measures to Eliminate International Terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, 2/ the Declaration on the Strengthening of International Security, 3/ the Definition of Aggression, 4/ the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, 5/ the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, 6/ the International Covenant on Economic, Social and Cultural Rights 7/ and the International Covenant on Civil and Political Rights, 7/

Deeply disturbed by the world-wide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

---

2/ Resolution 2625 (XXV), annex.

3/ Resolution 2734 (XXV).

4/ Resolution 3314 (XXIX), annex.

5/ Resolution 42/22, annex.

6/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

7/ See resolution 2200 A (XXI), annex.

Deeply concerned by the increase, in many regions of the world, of acts of terrorism based on intolerance or extremism,

Concerned at the growing and dangerous links between terrorist groups and drug traffickers and their paramilitary gangs, which have resorted to all types of violence, thus endangering the constitutional order of States and violating basic human rights,

Convinced of the desirability for closer coordination and cooperation among States in combating crimes closely connected with terrorism, including drug trafficking, unlawful arms trade, money laundering and smuggling of nuclear and other potentially deadly materials, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Firmly determined to eliminate international terrorism in all its forms and manifestations,

Convinced also that the suppression of acts of international terrorism, including those in which States are directly or indirectly involved, is an essential element for the maintenance of international peace and security,

Convinced further that those responsible for acts of international terrorism must be brought to justice,

Stressing the imperative need to further strengthen international cooperation between States in order to take and adopt practical and effective measures to prevent, combat and eliminate all forms of terrorism that affect the international community as a whole,

Conscious of the important role that might be played by the United Nations, the relevant specialized agencies and States in fostering widespread cooperation in preventing and combating international terrorism, inter alia, by increasing public awareness of the problem,

Recalling the existing international treaties relating to various aspects of the problem of international terrorism, inter alia, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, 8/ the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, 9/ the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, concluded at Montreal on 23 September 1971, 10/ the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted in New York on 14 December 1973, 11/ the International Convention against the Taking of

---

8/ United Nations, Treaty Series, vol. 704, No. 10106.

9/ Ibid., vol. 860, No. 12325.

10/ Ibid., vol. 974, No. 14118.

11/ Ibid., vol. 1035, No. 15410.

Hostages, adopted in New York on 17 December 1979, 12/ the Convention on thePhysical Protection of Nuclear Material, adopted at Vienna on 3 March 1980, 13/ the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988, 14/ the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988, 15/ the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988, 16/ and the Convention on the Marking of Plastic Explosives for the Purpose of Detection, done at Montreal on 1 March 1991, 17/

Welcoming the conclusion of regional agreements and mutually agreed declarations to combat and eliminate terrorism in all its forms and manifestations,

Convinced of the desirability of keeping under review the scope of existing international legal provisions to combat terrorism in all its forms and manifestations, with the aim of ensuring a comprehensive legal framework for the prevention and elimination of terrorism,

Solemnly declares the following:

I

1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism, as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States;

2. Acts, methods and practices of terrorism constitute a grave violation of the purposes and principles of the United Nations, which may pose a threat to international peace and security, jeopardize friendly relations among States, hinder international cooperation and aim at the destruction of human rights, fundamental freedoms and the democratic bases of society;

3. Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them;

12/ Resolution 34/146, annex.

13/ International Atomic Energy Agency, document INFCIRC/225; to be published in United Nations, Treaty Series, vol. 1456, No. 24631.

14/ International Civil Aviation Organization, document DOC 9518.

15/ International Maritime Organization, document SUA/CONF/15/Rev.1.

16/ Ibid., document SUA/CONF/16/Rev.2.

17/ See S/22393 and Corr.1.

4. States, guided by the purposes and principles of the Charter of the United Nations and other relevant rules of international law, must refrain from organizing, instigating, assisting or participating in terrorist acts in territories of other States, or from acquiescing in or encouraging activities within their territories directed towards the commission of such acts;

5. States must also fulfil their obligations under the Charter of the United Nations and other provisions of international law with respect to combating international terrorism and are urged to take effective and resolute measures in accordance with the relevant provisions of international law and international standards of human rights for the speedy and final elimination of international terrorism, in particular:

(a) To refrain from organizing, instigating, facilitating, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that their respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens;

(b) To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of their national law;

(c) To endeavour to conclude special agreements to that effect on a bilateral, regional and multilateral basis, and to prepare, to that effect, model agreements on cooperation;

(d) To cooperate with one another in exchanging relevant information concerning the prevention and combating of terrorism;

(e) To take promptly all steps necessary to implement the existing international conventions on this subject to which they are parties, including the harmonization of their domestic legislation with those conventions;

(f) To take appropriate measures, before granting asylum, for the purpose of ensuring that the asylum seeker has not engaged in terrorist activities and, after granting asylum, for the purpose of ensuring that the refugee status is not used in a manner contrary to the provisions set out in subparagraph (a) above;

6. In order to combat effectively the increase in, and the growing international character and effects of, acts of terrorism, States should enhance their cooperation in this area through, in particular, systematizing the exchange of information concerning the prevention and combating of terrorism, as well as by effective implementation of the relevant international conventions and conclusion of mutual judicial assistance and extradition agreements on a bilateral, regional and multilateral basis;

7. In this context, States are encouraged to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter;

8. Furthermore States that have not yet done so are urged to consider, as a matter of priority, becoming parties to the international conventions and protocols relating to various aspects of international terrorism referred to in the preamble to the present Declaration;

III

9. The United Nations, the relevant specialized agencies and intergovernmental organizations and other relevant bodies must make every effort with a view to promoting measures to combat and eliminate acts of terrorism and to strengthening their role in this field;

10. The Secretary-General should assist in the implementation of the present Declaration by taking, within existing resources, the following practical measures to enhance international cooperation:

(a) A collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing, based on information received from the depositaries of those agreements and from Member States;

(b) A compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, based on information received from Member States;

(c) An analytical review of existing international legal instruments relating to international terrorism, in order to assist States in identifying aspects of this matter that have not been covered by such instruments and could be addressed to develop further a comprehensive legal framework of conventions dealing with international terrorism;

(d) A review of existing possibilities within the United Nations system for assisting States in organizing workshops and training courses on combating crimes connected with international terrorism;

IV

11. All States are urged to promote and implement in good faith and effectively the provisions of the present Declaration in all its aspects;

12. Emphasis is placed on the need to pursue efforts aiming at eliminating definitively all acts of terrorism by the strengthening of international cooperation and progressive development of international law and its codification, as well as by enhancement of coordination between, and increase of the efficiency of, the United Nations and the relevant specialized agencies, organizations and bodies.

UNITED NATIONS

A



General Assembly

Distr.
GENERAL

A/RES/51/210
16 January 1997

Fifty-first session
Agenda item 151

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/51/631)]

51/210. Measures to eliminate international terrorism

The General Assembly,

Recalling its resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism, and its resolution 50/53 of 11 December 1995,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[1]

Guided by the purposes and principles of the Charter of the United Nations,

Deeply disturbed by the persistence of terrorist acts, which have taken place worldwide,

Stressing the need further to strengthen international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism,

Noting, in this context, all regional and international efforts to combat international terrorism, including those of the Organization of African Unity, the Organization of American States, the Organization of the Islamic Conference, the South Asian Association for Regional Cooperation, the European Union, the Council of Europe, the Movement of Non-Aligned Countries and the

[1] See resolution 50/6.

countries of the group of seven major industrialized countries and the Russian Federation,

Taking note of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on educational activities under the project entitled "Towards a culture of peace",[2]

Recalling that in the Declaration on Measures to Eliminate International Terrorism the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

Bearing in mind the possibility of considering in the future the elaboration of a comprehensive convention on international terrorism,

Noting that terrorist attacks by means of bombs, explosives or other incendiary or lethal devices have become increasingly widespread, and stressing the need to supplement the existing legal instruments in order to address specifically the problem of terrorist attacks carried out by such means,

Recognizing the need to enhance international cooperation to prevent the use of nuclear materials for terrorist purposes and to develop an appropriate legal instrument,

Recognizing also the need to strengthen international cooperation to prevent the use of chemical and biological materials for terrorist purposes,

Convinced of the need to implement effectively and supplement the provisions of the Declaration on Measures to Eliminate International Terrorism,

Having examined the report of the Secretary-General,[3]

I

1. Strongly condemns all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

2. Reiterates that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. Calls upon all States to adopt further measures in accordance with the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider the adoption of measures such as those contained in the official document adopted by the group of seven major industrialized countries and the Russian Federation at the Ministerial Conference on Terrorism, held in Paris on

---

[2] A/51/395, annex.

[3] A/51/336 and Add.1.

30 July 1996,[4] and the plan of action adopted by the Inter-American Specialized Conference on Terrorism, held at Lima from 23 to 26 April 1996 under the auspices of the Organization of American States,[5] and in particular calls upon all States:

(a) To recommend that relevant security officials undertake consultations to improve the capability of Governments to prevent, investigate and respond to terrorist attacks on public facilities, in particular means of public transport, and to cooperate with other Governments in this respect;

(b) To accelerate research and development regarding methods of detection of explosives and other harmful substances that can cause death or injury, undertake consultations on the development of standards for marking explosives in order to identify their origin in post-blast investigations, and promote cooperation and transfer of technology, equipment and related materials, where appropriate;

(c) To note the risk of terrorists using electronic or wire communications systems and networks to carry out criminal acts and the need to find means, consistent with national law, to prevent such criminality and to promote cooperation where appropriate;

(d) To investigate, when sufficient justification exists according to national laws, and acting within their jurisdiction and through appropriate channels of international cooperation, the abuse of organizations, groups or associations, including those with charitable, social or cultural goals, by terrorists who use them as a cover for their own activities;

(e) To develop, if necessary, especially by entering into bilateral and multilateral agreements and arrangements, mutual legal assistance procedures aimed at facilitating and speeding investigations and collecting evidence, as well as cooperation between law enforcement agencies in order to detect and prevent terrorist acts;

(f) To take steps to prevent and counteract, through appropriate domestic measures, the financing of terrorists and terrorist organizations, whether such financing is direct or indirect through organizations which also have or claim to have charitable, social or cultural goals or which are also engaged in unlawful activities such as illicit arms trafficking, drug dealing and racketeering, including the exploitation of persons for purposes of funding terrorist activities, and in particular to consider, where appropriate, adopting regulatory measures to prevent and counteract movements of funds suspected to be intended for terrorist purposes without impeding in any way the freedom of legitimate capital movements and to intensify the exchange of information concerning international movements of such funds;

4. Also calls upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. Reiterates its call upon States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

---

[4] A/51/261, annex.

[5] See A/51/336, para. 57.

6. _Urges_ all States that have not yet done so to consider, as a matter of priority, becoming parties to the Convention on Offences and Certain Other Acts Committed on Board Aircraft,[6] signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft,[7] signed at The Hague on 16 December 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation,[8] concluded at Montreal on 23 September 1971, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents,[9] adopted in New York on 14 December 1973, the International Convention against the Taking of Hostages,[10] adopted in New York on 17 December 1979, the Convention on the Physical Protection of Nuclear Material,[11] signed at Vienna on 3 March 1980, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation,[12] signed at Montreal on 24 February 1988, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation,[13] done at Rome on 10 March 1988, the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf,[14] done at Rome on 10 March 1988, and the Convention on the Marking of Plastic Explosives for the Purpose of Detection,[15] done at Montreal on 1 March 1991, and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of those Conventions and Protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts and to provide support and assistance to other Governments for those purposes;

II

7. _Reaffirms_ the Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 49/60;

8. _Approves_ the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, the text of which is annexed to the present resolution;

III

---

[6] United Nations, _Treaty Series_, vol. 704, No. 10106.

[7] Ibid., vol. 860, No. 12325.

[8] Ibid., vol. 974, No. 14118.

[9] Ibid., vol. 1035, No. 15410.

[10] Resolution 34/146, annex.

[11] United Nations _Treaty Series_, vol. 1456, No. 24631.

[12] International Civil Aviation Organization, document DOC 9518.

[13] International Maritime Organization, document SUA/CONF/15/Rev.1.

[14] Ibid., document SUA/CONF/16/Rev.2.

[15] S/22393, annex I; see _Official Records of the Security Council, Forty-sixth year, Supplement for January, February and March 1991_.

9. Decides to establish an Ad Hoc Committee, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, to elaborate an international convention for the suppression of terrorist bombings and, subsequently, an international convention for the suppression of acts of nuclear terrorism, to supplement related existing international instruments, and thereafter to address means of further developing a comprehensive legal framework of conventions dealing with international terrorism;

10. Decides also that the Ad Hoc Committee will meet from 24 February to 7 March 1997 to prepare the text of a draft international convention for the suppression of terrorist bombings, and recommends that work continue during the fifty-second session of the General Assembly from 22 September to 3 October 1997 in the framework of a working group of the Sixth Committee;

11. Requests the Secretary-General to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

12. Requests the Ad Hoc Committee to report to the General Assembly at its fifty-second session on progress made towards the elaboration of the draft convention;

13. Recommends that the Ad Hoc Committee be convened in 1998 to continue its work as referred to in paragraph 9 above;

IV

14. Decides to include in the provisional agenda of its fifty-second session the item entitled "Measures to eliminate international terrorism".

88th plenary meeting
17 December 1996

ANNEX

Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on Measures to Eliminate International Terrorism adopted by the General Assembly by its resolution 49/60 of 9 December 1994,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[1]

Deeply disturbed by the worldwide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

Underlining the importance of States developing extradition agreements or arrangements as necessary in order to ensure that those responsible for terrorist acts are brought to justice,

Noting that the Convention relating to the Status of Refugees,[16] done at Geneva on 28 July 1951, does not provide a basis for the protection of perpetrators of terrorist acts, noting also in this context articles 1, 2, 32 and 33 of the Convention, and emphasizing in this regard the need for States parties to ensure the proper application of the Convention,

Stressing the importance of full compliance by States with their obligations under the provisions of the 1951 Convention[16] and the 1967 Protocol relating to the Status of Refugees,[17] including the principle of non-refoulement of refugees to places where their life or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group or political opinion, and affirming that the present Declaration does not affect the protection afforded under the terms of the Convention and Protocol and other provisions of international law,

Recalling article 4 of the Declaration on Territorial Asylum adopted by the General Assembly by its resolution 2312 (XXII) of 14 December 1967,

Stressing the need further to strengthen international cooperation between States in order to prevent, combat and eliminate terrorism in all its forms and manifestations,

Solemnly declares the following:

1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed, including those which jeopardize friendly relations among States and peoples and threaten the territorial integrity and security of States;

2. The States Members of the United Nations reaffirm that acts, methods and practices of terrorism are contrary to the purposes and principles of the United Nations; they declare that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

3. The States Members of the United Nations reaffirm that States should take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts, considering in this regard relevant information as to whether the asylum-seeker is subject to investigation for or is charged with or has been convicted of offences connected with terrorism and, after granting refugee status, for the purpose of ensuring that that status is not used for the purpose of preparing or organizing terrorist acts intended to be committed against other States or their citizens;

4. The States Members of the United Nations emphasize that asylum-seekers who are awaiting the processing of their asylum applications may not thereby avoid prosecution for terrorist acts;

5. The States Members of the United Nations reaffirm the importance of ensuring effective cooperation between Member States so that those who have participated in terrorist acts, including their financing, planning or incitement, are brought to justice; they stress their commitment, in

---

[16] United Nations, *Treaty Series*, vol. 189, No. 2545.

[17] Ibid., vol. 606, No. 8791.

conformity with the relevant provisions of international law, including international standards of human rights, to work together to prevent, combat and eliminate terrorism and to take all appropriate steps under their domestic laws either to extradite terrorists or to submit the cases to their competent authorities for the purpose of prosecution;

6. In this context, and while recognizing the sovereign rights of States in extradition matters, States are encouraged, when concluding or applying extradition agreements, not to regard as political offences excluded from the scope of those agreements offences connected with terrorism which endanger or represent a physical threat to the safety and security of persons, whatever the motives which may be invoked to justify them;

7. States are also encouraged, even in the absence of a treaty, to consider facilitating the extradition of persons suspected of having committed terrorist acts, insofar as their national laws permit;

8. The States Members of the United Nations emphasize the importance of taking steps to share expertise and information about terrorists, their movements, their support and their weapons and to share information regarding the investigation and prosecution of terrorist acts.



General Assembly

Distr.: General
20 September 2006

Sixtieth session
Agenda items 46 and 120

Resolution adopted by the General Assembly

[without reference to a Main Committee (A/60/L.62)]

60/288. The United Nations Global Counter-Terrorism Strategy

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming its role under the Charter, including on questions related to international peace and security,

Reiterating its strong condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security,

Reaffirming the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 51/210 of 17 December 1996, and the 2005 World Summit Outcome,[1] in particular its section on terrorism,

Recalling all General Assembly resolutions on measures to eliminate international terrorism, including resolution 46/51 of 9 December 1991, and Security Council resolutions on threats to international peace and security caused by terrorist acts, as well as relevant resolutions of the General Assembly on the protection of human rights and fundamental freedoms while countering terrorism,

Recalling also that, in the 2005 World Summit Outcome, world leaders rededicated themselves to support all efforts to uphold the sovereign equality of all States, respect their territorial integrity and political independence, to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations, to uphold the resolution of disputes by peaceful means and in conformity with the principles of justice and international law, the right to self-determination of peoples which remain under colonial domination or foreign occupation, non-interference in the internal affairs of States, respect for human rights and fundamental freedoms, respect for the equal rights of all without distinction as to race, sex, language or religion, international cooperation in solving international problems of an economic, social, cultural or

[1] See resolution 60/1.

humanitarian character, and the fulfilment in good faith of the obligations assumed in accordance with the Charter,

Recalling further the mandate contained in the 2005 World Summit Outcome that the General Assembly should develop without delay the elements identified by the Secretary-General for a counter-terrorism strategy, with a view to adopting and implementing a strategy to promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter terrorism, which also takes into account the conditions conducive to the spread of terrorism,

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Reaffirming also that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Reaffirming further Member States' determination to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism, including by resolving the outstanding issues related to the legal definition and scope of the acts covered by the convention, so that it can serve as an effective instrument to counter terrorism,

Continuing to acknowledge that the question of convening a high-level conference under the auspices of the United Nations to formulate an international response to terrorism in all its forms and manifestations could be considered,

Recognizing that development, peace and security, and human rights are interlinked and mutually reinforcing,

Bearing in mind the need to address the conditions conducive to the spread of terrorism,

Affirming Member States' determination to continue to do all they can to resolve conflict, end foreign occupation, confront oppression, eradicate poverty, promote sustained economic growth, sustainable development, global prosperity, good governance, human rights for all and rule of law, improve intercultural understanding and ensure respect for all religions, religious values, beliefs or cultures,

1. *Expresses its appreciation* for the report entitled "Uniting against terrorism: recommendations for a global counter-terrorism strategy" submitted by the Secretary-General to the General Assembly;[2]

2. *Adopts* the present resolution and its annex as the United Nations Global Counter-Terrorism Strategy ("the Strategy");

3. *Decides*, without prejudice to the continuation of the discussion in its relevant committees of all their agenda items related to terrorism and counter-terrorism, to undertake the following steps for the effective follow-up of the Strategy:.

---

[2] A/60/825.

(*a*) To launch the Strategy at a high-level segment of its sixty-first session;

(*b*) To examine in two years progress made in the implementation of the Strategy, and to consider updating it to respond to changes, recognizing that many of the measures contained in the Strategy can be achieved immediately, some will require sustained work through the coming few years and some should be treated as long-term objectives;

(*c*) To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Strategy;

(*d*) To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Strategy, including through mobilizing resources and expertise;

(*e*) To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy;

4. *Decides* to include in the provisional agenda of its sixty-second session an item entitled "The United Nations Global Counter-Terrorism Strategy".

99th plenary meeting
8 September 2006

Annex

Plan of action

We, the States Members of the United Nations, resolve:

1. To consistently, unequivocally and strongly condemn terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security;

2. To take urgent action to prevent and combat terrorism in all its forms and manifestations and, in particular:

(*a*) To consider becoming parties without delay to the existing international conventions and protocols against terrorism, and implementing them, and to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism;

(*b*) To implement all General Assembly resolutions on measures to eliminate international terrorism and relevant General Assembly resolutions on the protection of human rights and fundamental freedoms while countering terrorism;

(*c*) To implement all Security Council resolutions related to international terrorism and to cooperate fully with the counter-terrorism subsidiary bodies of the Security Council in the fulfilment of their tasks, recognizing that many States continue to require assistance in implementing these resolutions;

3. To recognize that international cooperation and any measures that we undertake to prevent and combat terrorism must comply with our obligations under international law, including the Charter of the United Nations and relevant international conventions and protocols, in particular human rights law, refugee law and international humanitarian law.

I. Measures to address the conditions conducive to the spread of terrorism

We resolve to undertake the following measures aimed at addressing the conditions conducive to the spread of terrorism, including but not limited to prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of the rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism:

1. To continue to strengthen and make best possible use of the capacities of the United Nations in areas such as conflict prevention, negotiation, mediation, conciliation, judicial settlement, rule of law, peacekeeping and peacebuilding, in order to contribute to the successful prevention and peaceful resolution of prolonged unresolved conflicts. We recognize that the peaceful resolution of such conflicts would contribute to strengthening the global fight against terrorism;

2. To continue to arrange under the auspices of the United Nations initiatives and programmes to promote dialogue, tolerance and understanding among civilizations, cultures, peoples and religions, and to promote mutual respect for and prevent the defamation of religions, religious values, beliefs and cultures. In this regard, we welcome the launching by the Secretary-General of the initiative on the Alliance of Civilizations. We also welcome similar initiatives that have been taken in other parts of the world;

3. To promote a culture of peace, justice and human development, ethnic, national and religious tolerance and respect for all religions, religious values, beliefs or cultures by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society. In this regard, we encourage the United Nations Educational, Scientific and Cultural Organization to play a key role, including through inter-faith and intra-faith dialogue and dialogue among civilizations;

4. To continue to work to adopt such measures as may be necessary and appropriate and in accordance with our respective obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct;

5. To reiterate our determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including the Millennium Development Goals. We reaffirm our commitment to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all;

6. To pursue and reinforce development and social inclusion agendas at every level as goals in themselves, recognizing that success in this area, especially on youth unemployment, could reduce marginalization and the subsequent sense of victimization that propels extremism and the recruitment of terrorists;

7. To encourage the United Nations system as a whole to scale up the cooperation and assistance it is already conducting in the fields of rule of law, human rights and good governance to support sustained economic and social development;

8. To consider putting in place, on a voluntary basis, national systems of assistance that would promote the needs of victims of terrorism and their families and facilitate the normalization of their lives. In this regard, we encourage States to request the relevant United Nations entities to help them to develop such national

systems. We will also strive to promote international solidarity in support of victims and foster the involvement of civil society in a global campaign against terrorism and for its condemnation. This could include exploring at the General Assembly the possibility of developing practical mechanisms to provide assistance to victims.

II. Measures to prevent and combat terrorism

We resolve to undertake the following measures to prevent and combat terrorism, in particular by denying terrorists access to the means to carry out their attacks, to their targets and to the desired impact of their attacks:

1. To refrain from organizing, instigating, facilitating, participating in, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that our respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens;

2. To cooperate fully in the fight against terrorism, in accordance with our obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or perpetration of terrorist acts or provides safe havens;

3. To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of national and international law, in particular human rights law, refugee law and international humanitarian law. We will endeavour to conclude and implement to that effect mutual judicial assistance and extradition agreements and to strengthen cooperation between law enforcement agencies;

4. To intensify cooperation, as appropriate, in exchanging timely and accurate information concerning the prevention and combating of terrorism;

5. To strengthen coordination and cooperation among States in combating crimes that might be connected with terrorism, including drug trafficking in all its aspects, illicit arms trade, in particular of small arms and light weapons, including man-portable air defence systems, money-laundering and smuggling of nuclear, chemical, biological, radiological and other potentially deadly materials;

6. To consider becoming parties without delay to the United Nations Convention against Transnational Organized Crime[3] and to the three protocols supplementing it,[4] and implementing them;

7. To take appropriate measures, before granting asylum, for the purpose of ensuring that the asylum-seeker has not engaged in terrorist activities and, after granting asylum, for the purpose of ensuring that the refugee status is not used in a manner contrary to the provisions set out in section II, paragraph 1, above;

8. To encourage relevant regional and subregional organizations to create or strengthen counter-terrorism mechanisms or centres. Should they require cooperation and assistance to this end, we encourage the Counter-Terrorism Committee and its Executive Directorate and, where consistent with their existing

[3] Resolution 55/25, annex I.

[4] Resolution 55/25, annexes II and III; and resolution 55/255, annex.

mandates, the United Nations Office on Drugs and Crime and the International Criminal Police Organization, to facilitate its provision;

9. To acknowledge that the question of creating an international centre to fight terrorism could be considered, as part of international efforts to enhance the fight against terrorism;

10. To encourage States to implement the comprehensive international standards embodied in the Forty Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing of the Financial Action Task Force, recognizing that States may require assistance in implementing them;

11. To invite the United Nations system to develop, together with Member States, a single comprehensive database on biological incidents, ensuring that it is complementary to the biocrimes database contemplated by the International Criminal Police Organization. We also encourage the Secretary-General to update the roster of experts and laboratories, as well as the technical guidelines and procedures, available to him for the timely and efficient investigation of alleged use. In addition, we note the importance of the proposal of the Secretary-General to bring together, within the framework of the United Nations, the major biotechnology stakeholders, including industry, the scientific community, civil society and Governments, into a common programme aimed at ensuring that biotechnology advances are not used for terrorist or other criminal purposes but for the public good, with due respect for the basic international norms on intellectual property rights;

12. To work with the United Nations with due regard to confidentiality, respecting human rights and in compliance with other obligations under international law, to explore ways and means to:

(*a*) Coordinate efforts at the international and regional levels to counter terrorism in all its forms and manifestations on the Internet;

(*b*) Use the Internet as a tool for countering the spread of terrorism, while recognizing that States may require assistance in this regard;

13. To step up national efforts and bilateral, subregional, regional and international cooperation, as appropriate, to improve border and customs controls in order to prevent and detect the movement of terrorists and prevent and detect the illicit traffic in, inter alia, small arms and light weapons, conventional ammunition and explosives, and nuclear, chemical, biological or radiological weapons and materials, while recognizing that States may require assistance to that effect;

14. To encourage the Counter-Terrorism Committee and its Executive Directorate to continue to work with States, at their request, to facilitate the adoption of legislation and administrative measures to implement the terrorist travel-related obligations and to identify best practices in this area, drawing whenever possible on those developed by technical international organizations, such as the International Civil Aviation Organization, the World Customs Organization and the International Criminal Police Organization;

15. To encourage the Committee established pursuant to Security Council resolution 1267 (1999) to continue to work to strengthen the effectiveness of the travel ban under the United Nations sanctions regime against Al-Qaida and the Taliban and associated individuals and entities, as well as to ensure, as a matter of priority, that fair and transparent procedures exist for placing individuals and entities on its lists, for removing them and for granting humanitarian exceptions. In

this regard, we encourage States to share information, including by widely distributing the International Criminal Police Organization/United Nations special notices concerning people subject to this sanctions regime;

16. To step up efforts and cooperation at every level, as appropriate, to improve the security of manufacturing and issuing identity and travel documents and to prevent and detect their alteration or fraudulent use, while recognizing that States may require assistance in doing so. In this regard, we invite the International Criminal Police Organization to enhance its database on stolen and lost travel documents, and we will endeavour to make full use of this tool, as appropriate, in particular by sharing relevant information;

17. To invite the United Nations to improve coordination in planning a response to a terrorist attack using nuclear, chemical, biological or radiological weapons or materials, in particular by reviewing and improving the effectiveness of the existing inter-agency coordination mechanisms for assistance delivery, relief operations and victim support, so that all States can receive adequate assistance. In this regard, we invite the General Assembly and the Security Council to develop guidelines for the necessary cooperation and assistance in the event of a terrorist attack using weapons of mass destruction;

18. To step up all efforts to improve the security and protection of particularly vulnerable targets, such as infrastructure and public places, as well as the response to terrorist attacks and other disasters, in particular in the area of civil protection, while recognizing that States may require assistance to this effect.

III. Measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

We recognize that capacity-building in all States is a core element of the global counter-terrorism effort, and resolve to undertake the following measures to develop State capacity to prevent and combat terrorism and enhance coordination and coherence within the United Nations system in promoting international cooperation in countering terrorism:

1. To encourage Member States to consider making voluntary contributions to United Nations counter-terrorism cooperation and technical assistance projects, and to explore additional sources of funding in this regard. We also encourage the United Nations to consider reaching out to the private sector for contributions to capacity-building programmes, in particular in the areas of port, maritime and civil aviation security;

2. To take advantage of the framework provided by relevant international, regional and subregional organizations to share best practices in counter-terrorism capacity-building, and to facilitate their contributions to the international community's efforts in this area;

3. To consider establishing appropriate mechanisms to rationalize States' reporting requirements in the field of counter-terrorism and eliminate duplication of reporting requests, taking into account and respecting the different mandates of the General Assembly, the Security Council and its subsidiary bodies that deal with counter-terrorism;

4. To encourage measures, including regular informal meetings, to enhance, as appropriate, more frequent exchanges of information on cooperation and technical assistance among Member States, United Nations bodies dealing with counter-terrorism, relevant specialized agencies, relevant international, regional and

subregional organizations and the donor community, to develop States' capacities to implement relevant United Nations resolutions;

5. To welcome the intention of the Secretary-General to institutionalize, within existing resources, the Counter-Terrorism Implementation Task Force within the Secretariat in order to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

6. To encourage the Counter-Terrorism Committee and its Executive Directorate to continue to improve the coherence and efficiency of technical assistance delivery in the field of counter-terrorism, in particular by strengthening its dialogue with States and relevant international, regional and subregional organizations and working closely, including by sharing information, with all bilateral and multilateral technical assistance providers;

7. To encourage the United Nations Office on Drugs and Crime, including its Terrorism Prevention Branch, to enhance, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism and relevant United Nations resolutions;

8. To encourage the International Monetary Fund, the World Bank, the United Nations Office on Drugs and Crime and the International Criminal Police Organization to enhance cooperation with States to help them to comply fully with international norms and obligations to combat money-laundering and the financing of terrorism;

9. To encourage the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons to continue their efforts, within their respective mandates, in helping States to build capacity to prevent terrorists from accessing nuclear, chemical or radiological materials, to ensure security at related facilities and to respond effectively in the event of an attack using such materials;

10. To encourage the World Health Organization to step up its technical assistance to help States to improve their public health systems to prevent and prepare for biological attacks by terrorists;

11. To continue to work within the United Nations system to support the reform and modernization of border management systems, facilities and institutions at the national, regional and international levels;

12. To encourage the International Maritime Organization, the World Customs Organization and the International Civil Aviation Organization to strengthen their cooperation, work with States to identify any national shortfalls in areas of transport security and provide assistance, upon request, to address them;

13. To encourage the United Nations to work with Member States and relevant international, regional and subregional organizations to identify and share best practices to prevent terrorist attacks on particularly vulnerable targets. We invite the International Criminal Police Organization to work with the Secretary-General so that he can submit proposals to this effect. We also recognize the importance of developing public-private partnerships in this area.

IV. Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

We resolve to undertake the following measures, reaffirming that the promotion and protection of human rights for all and the rule of law is essential to all components of the Strategy, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism:

1. To reaffirm that General Assembly resolution 60/158 of 16 December 2005 provides the fundamental framework for the "Protection of human rights and fundamental freedoms while countering terrorism";

2. To reaffirm that States must ensure that any measures taken to combat terrorism comply with their obligations under international law, in particular human rights law, refugee law and international humanitarian law;

3. To consider becoming parties without delay to the core international instruments on human rights law, refugee law and international humanitarian law, and implementing them, as well as to consider accepting the competence of international and relevant regional human rights monitoring bodies;

4. To make every effort to develop and maintain an effective and rule of law-based national criminal justice system that can ensure, in accordance with our obligations under international law, that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in support of terrorist acts is brought to justice, on the basis of the principle to extradite or prosecute, with due respect for human rights and fundamental freedoms, and that such terrorist acts are established as serious criminal offences in domestic laws and regulations. We recognize that States may require assistance in developing and maintaining such effective and rule of law-based criminal justice systems, and we encourage them to resort to the technical assistance delivered, inter alia, by the United Nations Office on Drugs and Crime;

5. To reaffirm the important role of the United Nations system in strengthening the international legal architecture by promoting the rule of law, respect for human rights and effective criminal justice systems, which constitute the fundamental basis of our common fight against terrorism;

6. To support the Human Rights Council and to contribute, as it takes shape, to its work on the question of the promotion and protection of human rights for all in the fight against terrorism;

7. To support the strengthening of the operational capacity of the Office of the United Nations High Commissioner for Human Rights, with a particular emphasis on increasing field operations and presences. The Office should continue to play a lead role in examining the question of protecting human rights while countering terrorism, by making general recommendations on the human rights obligations of States and providing them with assistance and advice, in particular in the area of raising awareness of international human rights law among national law-enforcement agencies, at the request of States;

8. To support the role of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The Special Rapporteur should continue to support the efforts of States and offer concrete advice by corresponding with Governments, making country visits, liaising with the United Nations and regional organizations and reporting on these issues.



General Assembly

Distr.: General
15 September 2008

Sixty-second session
Agenda item 118

Resolution adopted by the General Assembly

[without reference to a Main Committee (A/62/L.48)]

62/272. The United Nations Global Counter-Terrorism Strategy

The General Assembly,

Reaffirming the United Nations Global Counter-Terrorism Strategy, contained in General Assembly resolution 60/288 of 8 September 2006, which called for, inter alia, an examination in two years of progress made in the implementation of the Strategy and for consideration to be given to updating it to respond to changes, as provided for in paragraph 3 (*b*) of that resolution,

Recalling the pivotal role of the General Assembly in following up the implementation and the updating of the Strategy,

Renewing its unwavering commitment to strengthen international cooperation to prevent and combat terrorism in all its forms and manifestations,

Recognizing that international cooperation and any measures undertaken by Member States to prevent and combat terrorism must fully comply with their obligations under international law, including the Charter of the United Nations and relevant international conventions and protocols, in particular human rights law, refugee law and international humanitarian law,

Convinced that the General Assembly is the competent organ with universal membership to address the issue of international terrorism,

Mindful of the need to enhance the role of the United Nations and the specialized agencies, within their mandates, in the implementation of the Strategy,

Stressing that the Counter-Terrorism Implementation Task Force shall carry out its activities within the framework of its mandate, with policy guidance offered by Member States through interaction with the General Assembly on a regular basis,

Recognizing the importance of institutionalizing the Task Force within the Secretariat,

1. *Reiterates its strong condemnation* of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security;

2. *Reaffirms* the United Nations Global Counter-Terrorism Strategy and its four pillars, which constitute an ongoing effort, and calls upon Member States, the United Nations and other appropriate international, regional and subregional

organizations to step up their efforts to implement the Strategy in an integrated manner and in all its aspects;

3. *Takes note* of the report of the Secretary-General entitled "United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy";[1]

4. *Also takes note* of the measures that Member States as well as appropriate international, regional and subregional organizations have adopted within the framework of the Strategy, as presented at the first biennial review of the Strategy, on 4 and 5 September 2008, all of which strengthen cooperation to fight terrorism, in particular through the exchange of best practices;

5. *Reaffirms* the primary responsibility of Member States to implement the Strategy while further recognizing the need to enhance the important role the United Nations plays, in coordination with other international, regional and subregional organizations, as appropriate, in facilitating coherence in the implementation of the Strategy at the national, regional and global levels and in providing assistance, especially in the area of capacity-building;

6. *Encourages* non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy, including through interaction with Member States and the United Nations system;

7. *Calls upon* the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms while countering terrorism;

8. *Calls upon* States that have not done so to consider becoming parties in a timely manner to the existing international conventions and protocols against terrorism, and upon all States to make every effort to conclude a comprehensive convention on international terrorism, and recalls the commitments of Member States with regard to the implementation of General Assembly and Security Council resolutions relating to international terrorism;

9. *Notes with appreciation* the continued contribution of United Nations entities and subsidiary bodies of the Security Council to the Counter-Terrorism Implementation Task Force;

10. *Reaffirms* the need to enhance international cooperation in countering terrorism, and in this regard recalls the role of the United Nations system in promoting international cooperation and capacity-building as one of the elements of the Strategy;

11. *Urges* the Secretary-General to make the necessary arrangements to carry out the institutionalization of the Task Force, in accordance with resolution 60/288, in order to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

12. *Decides* to interact with the Task Force on a regular basis, in order to receive briefings and reports on its current and future work, assess the work being undertaken on the Strategy implementation efforts, including the work of the Task Force, and to offer policy guidance;

[1] A/62/898.

13. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on progress made in the implementation of the Strategy, which could contain suggestions for its future implementation by the United Nations system, as well as in the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "The United Nations Global Counter-Terrorism Strategy" in order to undertake in two years an examination of the report of the Secretary-General requested in paragraph 13 above, as well as the implementation of the Strategy on the part of Member States and to consider updating the Strategy to respond to changes.

120th plenary meeting
5 September 2008

تقرير سكرتير عام الأمم المتحدة

(١٧ يونية ٢٠١٠)

حول تطبيق استراتيجية الأمم المتحدة الشاملة لمكافحة الإرهاب

United Nations A/64/818



General Assembly

Distr.: General
7 June 2010

Original: English

Sixty-fourth session
Agenda item 115
The United Nations Global Counter-Terrorism Strategy

United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy

Report of the Secretary-General

Summary

In connection with the September review of the United Nations Global Counter-Terrorism Strategy, the present report responds to the request of the Member States to the Secretary-General, contained in General Assembly resolution 62/272, that he submit to the Assembly, at its sixty-fourth session, a report on progress made in the implementation of the Strategy, which could contain suggestions for its future implementation by the United Nations system, as well as in the implementation of that resolution.

10-40963 (E) 220710 270710

I. Introduction

1. The United Nations Global Counter-Terrorism Strategy (see General Assembly resolution 60/288, annex), adopted unanimously by the General Assembly in September 2006, continues to provide the strategic framework and practical guidance on joint efforts of the international community to counter terrorism.

2. Since terrorism is a global challenge that requires a global and integrated response, efforts to address this problem comprehensively and collectively are crucial to the advancement of international peace and security.

3. On 4 and 5 September 2008, the General Assembly held its first review of the implementation of the Strategy and adopted resolution 62/272. In that resolution the Assembly reaffirmed its commitment to the Strategy and its implementation and requested the Secretary-General to submit to it, at its sixty-fourth session, a report on progress made in its implementation, which could contain suggestions for its future implementation by the United Nations system, as well as in the implementation of the resolution. The second biennial review will be held on 8 September 2010. The review, and the interventions of the Member States therein, will provide an opportunity to measure progress in the implementation of the Strategy since September 2008.

4. Since the adoption of the Strategy, Member States, entities of the United Nations system and other participating organizations, including regional and other relevant organizations, have invested significantly in the implementation of its four pillars:

(a) Measures to address the conditions conducive to the spread of terrorism;

(b) Measures to prevent and combat terrorism;

(c) Measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in that regard;

(d) Measures to ensure respect for human rights for all and the rule of law as the fundamental basis for the fight against terrorism.

5. As underlined in the Strategy and in General Assembly resolution 62/272, the responsibility for its implementation rests primarily with Member States, while the important role the United Nations plays in facilitating coherence in the implementation of the Strategy and in providing assistance is also recognized. The entities of the United Nations system and other participating organizations continue to contribute to the implementation of the Strategy through their individual efforts under their respective mandates and work programmes, as well as through collective activities with partners and by participating in the United Nations Counter-Terrorism Implementation Task Force.

6. The membership of the Counter-Terrorism Implementation Task Force now includes 30 entities, some of which focus their activities on terrorism, while others have expertise on conflict prevention and resolution, non-proliferation, disarmament, education, cultural and interreligious dialogue, human rights, refugee protection and asylum, peacekeeping, health and other issues — a range of experience that allows the entities of the United Nations system and relevant participating organizations to support Member States in the equal and comprehensive implementation of the four pillars of the Strategy. It also promotes

synergies and information-sharing and allows each entity to maximize its comparative advantage.

7. The Task Force has been working on cross-cutting areas of work where implementation of the Strategy requires cooperation across several system entities and provides added value. Specific initiatives include preventing and resolving conflict, supporting victims of terrorism, protecting human rights while countering terrorism, strengthening the protection of vulnerable targets, countering the use of the Internet for terrorist purposes, tackling the financing of terrorism, responding to and providing protection from attacks using weapons of mass destruction, countering the appeal of terrorism and integrating assistance for countering terrorism.

8. The present report provides highlights of progress made by the entities of the United Nations system and relevant participating organizations in their efforts to support the implementation of the Strategy. The report also suggests additional measures by which the United Nations, in particular through the Counter-Terrorism Implementation Task Force, can further strengthen the implementation of the Strategy.

9. The report has benefited from inputs from Member States and regional and other relevant organizations. The full picture of progress will emerge at the September review when Member States, as well as regional and other relevant organizations, will share measures adopted within the framework of the Strategy, assess achievements to date and identify areas that need strengthened cooperation.

II. Measures to address the conditions conducive to the spread of terrorism

10. In adopting the Strategy, Member States resolved to take measures to address conditions conducive to the spread of terrorism, including but not limited to prolonged and unresolved conflicts, forced displacement, dehumanization of victims of terrorism, lack of rule of law, violation of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance.

Preventing and resolving conflict

11. The Strategy recognizes that the peaceful resolution of conflicts would contribute to strengthening global efforts against terrorism, and therefore calls for the strengthening and making the best use of the capacities of the United Nations in areas such as conflict prevention, mediation, rule of law, peacekeeping and peacebuilding.

12. As the lead United Nations department for preventive diplomacy and peacemaking, the Department of Political Affairs continues to undertake a wide range of activities to reduce violent conflicts around the world. The Department has strengthened and increased its field presence and its capacity at Headquarters, making it better equipped and more able to monitor and address political and socio-economic conditions that can give rise to terrorism. For example, within the framework of the Strategy, the United Nations Regional Centre for Preventive Diplomacy in Central Asia has adopted as one priority area in its programme of action (January 2009 to

December 2011) the work of assisting the Governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan in responding more proactively to cross-border threats such as terrorism, drug trafficking and organized crime.

13. The working group on preventing and resolving conflicts of the Counter-Terrorism Implementation Task Force, which is led by the Department of Political Affairs, has undertaken efforts to integrate counter-terrorism objectives into the long-standing work conducted by the entities of the United Nations system on the prevention and resolution of conflicts. In collaboration with Member States, the working group has developed an initiative to help implement the Strategy in Central Asia. The initiative is coordinated by the working group and the United Nations Regional Centre for Preventive Diplomacy for Central Asia. The initiative, based on three expert-level meetings and finalized at a concluding ministerial summit, will focus on assisting the Governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan in addressing conditions conducive to the spread of terrorism, enhance capacity-building and prepare a regional action plan on the implementation of the Strategy. The Working Group is considering replicating the initiative in other regions.

14. The Department of Peacekeeping Operations continues to promote effective, fair and accountable criminal justice systems, public safety and the establishment of the rule of law. The justice and corrections components of United Nations peacekeeping operations have assisted national authorities in post-conflict settings in order to restore, rebuild and reform their judicial, legal and corrections systems. The Department also assists national authorities with the establishment of effective, fair and accountable security institutions through its development of guidance and programmes in security sector reform. In addition, the police components of the Department have supported community-based policing, increasing the responsiveness of host-State police services and promoting public safety and access to justice. They also have played an important part in electoral processes by supporting democratic political systems.

Supporting victims and engaging civil society

15. As part of the plan of action for the implementation of the Strategy, Member States strive to promote international solidarity in support of victims of terrorism and to foster the involvement of civil society in a global campaign against terrorism and for its condemnation. As a first concrete step to support Member States in this commitment, the Secretary-General convened a symposium on supporting victims of terrorism on 9 September 2008. For the first time ever at the global level, victims, Governments, experts and civil society came together to give victims a human face and an identity, to discuss concrete steps to assist victims in coping with their experiences and to share best practices and highlight measures already taken to support and empower victims. Following the symposium, a report was issued in all six official languages of the Organization summarizing the key themes discussed and presenting a set of recommendations made by the participants.

16. The Task Force working group on supporting and highlighting victims of terrorism is undertaking a set of follow-up actions, including: (a) the development of a web-portal that can be used as a forum for victims, experts, Government officials, service providers and civil society to share information, resources and best practices on supporting victims of terrorism; (b) the development of a study of best

practices for providing financial support to victims of terrorism; (c) the office of the Task Force has supported the establishment of the Global Survivors Network and is collaborating with it and the Centre on Global Counterterrorism Cooperation on a series of projects to support victims, beginning with a media training programme for victims of terrorism; and (d) compilation of a study on the rights of victims of terrorism based on an upcoming expert workshop.

17. In response to the call made by the General Assembly in its resolution 64/168, the United Nations Office on Drugs and Crime (UNODC) is focusing attention on the legal needs of victims of terrorism during criminal justice procedures, including the provision upon request, of technical assistance for building the legal and judicial capacity of Member States with regard to the related criminal justice aspects. A specialized technical assistance tool is currently under preparation, drawing on the outcome of an expert group meeting which was held in Vienna in May 2010.

18. In May 2009, a diplomatic conference under the auspices of the International Civil Aviation Organization (ICAO) adopted two new air law conventions that set out international compensation and liability rules for damage caused by aircraft to third parties, including damage caused by unlawful interference involving aircraft.[1] In addition, the International Civil Aviation Compensation Fund was created in order to provide compensation to victims of a terrorist attack.

19. Following the need, as highlighted by many Member States, to start to engage more closely with civil society in various parts of the world and to provide better linkage between the activities of the Task Force and civil society entities, the United Nations International Crime and Justice Research Institute (UNICRI), in coordination with the Task Force office, is exploring possibilities for improving engagement with civil society and raising public awareness about the United Nations Global Counter-Terrorism Strategy worldwide.

Preventing and addressing human rights violations and discrimination

20. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has continued to provide support to the various United Nations human rights mechanisms as they execute their standard-setting and monitoring duties, and extended its field presence, which contributes in assisting national authorities to establish and improve effective mechanisms to protect human rights. OHCHR has also contributed to the understanding of human rights issues through research, analysis, the development of methodological tools and training. The Office is currently pursuing six key thematic strategies: countering discrimination; combating impunity and strengthening accountability, the rule of law and democratic society; pursuing economic, social and cultural rights and combating inequalities and poverty; protecting human rights in the context of migration; protecting human rights in the context of armed conflict, violence and insecurity; and strengthening human rights mechanisms and the progressive development of international human rights law.

---

[1] The Convention on Compensation for Damage to Third Parties resulting from Acts of Unlawful Interference Involving Aircraft and the Convention on Compensation for Damage Caused by Aircraft to Third Parties.

Education

21. The Strategy encourages education and public awareness programmes involving all sectors of society. In particular, it calls upon the United Nations Educational, Scientific and Cultural Organization (UNESCO) to play a key role, notably through increased intercultural and inter-faith dialogue and as well as dialogue with civil society and Governments.

22. UNESCO has a strong intersectoral mandate to advance peace and security through education, science, culture, communication and information, all of which contribute to mainstreaming of a culture of peace. Engagement may include: (a) advice for the development of educational policies and strategies that promote quality education, including human rights education, gender equality, intercultural dialogue, tolerance and mutual respect and a culture of peace and non-violence; (b) revision of curricula, textbooks and other learning materials with the aim of removing misinformation or embedded prejudices or stereotypes; and (c) development of pedagogical resources and manuals supportive of the above.

23. In its resolution 62/90, the General Assembly declared 2010 as the International Year for the Rapprochement of Cultures. The international year was launched at UNESCO headquarters on 18 February 2010, with the convening of a High-level Panel on Peace and Dialogue among Cultures. The year is being used by local and national Governments, institutions, organizations and individuals to undertake numerous projects to create rapprochement or to enhance mutual understanding between individuals, groups and cultures around the world, including several projects for national reconciliation and peacebuilding.

24. In October 2009, UNESCO published a report entitled "Investing in Cultural Diversity and Intercultural Dialogue", an in-depth analysis of cultural diversity. In January 2010, UNESCO launched its "Global Monitoring Report on Education for All", which focuses on reaching the marginalized, providing important statistics and analysis of the status of communities not achieving literacy or quality education and the consequences thereof.

25. In October 2008, UNESCO co-organized a youth forum in Copenhagen on "Education for Intercultural Understanding and Dialogue". In October 2009, another youth forum was held, resulting in recommendations on promoting youth-focused partnerships for the provision of alternatives to violence as a means of solving conflicts and ensuring that youth have appropriate opportunity to express their feelings. In September 2009, in collaboration with the Government of Indonesia, an international youth conference on "The Role of Youth to Establish Peace: Towards a Future World without Violent Radicalization". In addition, through its Power of Peace Network, UNESCO engages young people from all over the world to take part in cross-national, online dialogue.

26. UNESCO facilitates a network of chairs on intercultural and interreligious dialogue, within academic centres, in order to foster educational exchanges among students and researchers. There are now 31 university chairs participating in this initiative. Recent actions include interreligious meetings, the most recent of which was held in June 2009.

27. In the same vein, UNICRI, in collaboration with the United Nations Alliance of Civilizations, developed a project on youth consultative committees for intercultural dialogue in the Mediterranean, which is intended to support the

establishment of national youth consultative committees representing the diverse national cultural and/or religious compositions of the countries of the Euro-Mediterranean basin. The first step in implementing this three-year project is a mapping exercise on existing youth-led and youth-service organizations in the region. In parallel, a review of existing policies and youth consultative processes regarding the prevention of extremism and radicalization is being undertaken.

28. As part of its continuing efforts to promote dialogue, respect, tolerance and cultural diversity, the Department of Public Information organized an "unlearning intolerance" seminar series aimed at examining different manifestations of intolerance and discussing solutions through education and access to information. The Department also organized a meeting in June 2009 on countering hate messages through cyberspace.

29. The Task Force office is collaborating with the People's Friendship University of the Russian Federation in the development of educational programmes on countering terrorism. It participated in a workshop on "Partnership between States, business and civil society to counter terrorism: practice, research and education", which was co-organized by the University and the Ministry of Foreign Affairs of the Russian Federation. In follow-up to the workshop, the Task Force office has facilitated contact between the University and UNICRI on the development of a curriculum on counter-terrorism.

Development and social inclusion

30. The Strategy reiterates the pursuit and reinforcement of development and social inclusion agendas, recognizing, for example, that youth employment could reduce marginalization and the subsequent influence of extremism on the recruitment of members for terrorist networks.

31. The analytical, consensus-building and operational work of the Department of Economic and Social Affairs in promoting development for all is essential for addressing the conditions conducive to the spread of terrorism. This is especially evident in the Department's work to support the understanding of the root causes of inequality and poverty, social exclusion, youth unemployment, environmental threats and deficits in public administration.

32. The Department is undertaking multiple projects to achieve the following goals: (a) addressing the impacts of migration on gender equality, discrimination, racism and other forms of intolerance, and advocating the adoption of enhanced approaches; (b) improving skills and providing tools for the advancement of women, and eliminating violence against women; (c) increasing the capacities of countries emerging from conflict to design and implement sustainable development strategies to improve the likelihood of sustainable peace; (d) enhancing capacities of African Governments to evaluate and implement national youth policies; (e) dealing with gaps in the national criminal justice systems relating to human trafficking; (f) enhancing the capacity of local governments to advance development goals; (g) promoting partnerships between Governments and civil society in conflict-torn countries of the Middle Eastern region in order to alleviate poverty and generate employment.

33. The Department is also undertaking projects on public administration, including: (a) strengthening the rule of law, modernizing the judicial sector and

developing a strategy of resource mobilization, civil service reform and capacity-building in Togo; (b) a public sector reconfiguration strategy and a decentralization policy and strategy in Rwanda; (c) a situation analysis and design of a public administration system and strategy in Kosovo; (d) a public administration strategy in Timor-Leste; (e) civil service reform, building the capacity of public sector leadership, support for the design of a national strategy for effective decentralization and strengthening of the capacities of the national and provincial parliaments in the Democratic Republic of the Congo; (f) capacity development for decentralized governance, including the civil service and leadership in Chad; and (g) civil service and leadership capacity-building in Guinea-Bissau.

34. The Counter-Terrorism Committee Executive Directorate holds meetings with the local office of the United Nations Development Programme (UNDP) during its visits to Member States in order to explore areas for possible follow-up and coordination. This engagement is particularly valuable in respect of States that have adopted holistic counter-terrorism strategies, including measures to address social and economic development. In the course of its dialogue with States on their implementation of Security Council resolution 1624 (2005), the Directorate also continued to gather information on measures taken to prohibit incitement to commit terrorism, combat violent extremism and enhance cultural dialogue.

35. Within its broad mandate on promoting peace, security and sustainable development in Africa, the Office of the Special Adviser on Africa has taken several initiatives to ensure that the African perspectives are adequately reflected in the United Nations counter-terrorism agenda in New York. In that context, the Office also convened an expert group meeting on "African perspectives on international terrorism" in Addis Ababa in June 2009 to help raise awareness and promote the implementation of the Strategy in Africa by identifying and publicizing Africa's special needs and priorities.

Countering the appeal of terrorism

36. In September 2008, the Task Force's Working Group on Addressing Radicalization and Extremism that Lead to Terrorism produced an inventory of State programmes. The report included inputs from 34 Member States on their programmes and policies on counter-radicalization. The Working Group concluded its work in November 2008.

37. In June 2010, UNICRI opened the "Centre on Policies to Counter the Appeal of Terrorism". The Centre will establish a searchable web-based database containing information about different projects, programmes and policies pursued by Governments to counter the appeal of terrorism; produce an annual analytical report based on non-reserved information provided by Member States; organize a series of regional and interregional round tables that will gather a select group of counter-terrorism practitioners and other relevant stakeholders; and convene an international conference at the end of the pilot phase. The Centre, run in close coordination with the Task Force office, is based at the UNICRI Lab's office on "Dialogue and innovation" in Lucca, Italy.

38. In addition, the Monitoring Team established pursuant to Security Council resolution 1267 (1999) and the Department of Public Information are undertaking a film project on repentant terrorists in order to explain both to vulnerable communities and to the public at large the processes that may lead an individual to

terrorism, as well as to highlight the negative consequences of such an action. Three countries are actively engaged in the project so far: Algeria, Malaysia and Saudi Arabia.

39. The 1267 (1999) Monitoring Team is also conducting a project to examine the comparative advantages of rehabilitation and countering-extremism programmes run by certain States, with the purpose to offer examples and lessons learned to countries that are considering similar action.

III. Measures to prevent and combat terrorism

40. In the Strategy, Member States resolved to undertake relevant measures to prevent and combat terrorism, in particular, by denying terrorists access to the means to carry out their attacks, to their targets and to the desired impact of their attacks.

Enhancing legal and international instruments

41. The Office of Legal Affairs continues to provide substantive support to the Ad Hoc Committee established by General Assembly resolution 51/210, which is elaborating a draft comprehensive convention on international terrorism. While some progress has been made, it should be noted that differences still remain, in particular, on the scope of application of the draft convention. The Ad Hoc Committee held its fourteenth session in April 2010, during which Member States continued to exchange views on possible ways forward. Further interactions are expected to continue in the context of a working group of the Sixth Committee during the Assembly's sixty-fifth session.

42. The Secretary-General remains the depositary for five existing counter-terrorism instruments: (a) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973 (173 parties, 7 States since 2008); (b) the International Convention against the Taking of Hostages, 1979 (167 parties, 3 States since 2008); (c) the International Convention for the Suppression of Terrorist Bombings, 1997 (164 parties, 10 States since 2008); (d) the International Convention for the Suppression of the Financing of Terrorism, 1999 (172 parties, 12 States since 2008); and (e) the International Convention for the Suppression of Acts of Nuclear Terrorism, 2005 (67 parties, 37 States since 2008). The Office continues to promote adherence to the five instruments through training seminars at United Nations Headquarters and at the regional level. The 2010 treaty event will include focus on increasing ratification of and accession to the counter-terrorism instruments under United Nations auspices.

43. The Strategy calls for Member States to consider becoming parties without delay to the United Nations Convention against Transnational Organized Crime. The United Nations Office on Drugs and Crime has continued to assist Member States with the ratification and implementation of the Convention and its three protocols by providing technical assistance for the necessary domestic legislation and the establishment of new frameworks for mutual legal assistance, extradition and law enforcement cooperation. Given the increasingly complex nature of the terrorist threat, the Office on Drugs and Crime is formulating more comprehensive packages of technical assistance that encompass terrorism prevention activities, criminal justice, anti-corruption and transnational organized crime. Such actions are fully

integrated into the regional and national programmes of the Office, including through its 25 field offices.

44. The Counter-Terrorism Committee Executive Directorate, the 1267 (1999) Monitoring Team and the Security Council 1540 (2004) Expert Group continued to work together to enhance the capacities of Member States for effective implementation of relevant resolutions, including on the implementation of a common strategy to work with international, regional and subregional organizations, to exchange information and to conduct joint regional workshops to assist Member States on submitting responses to the three Committees of the Security Council.

45. The Counter-Terrorism Committee and its Executive Directorate continue to play a key role in providing assessments of existing counter-terrorism capacities of Member States. The Executive Directorate, on behalf of the Committee, monitors and promotes the implementation of Security Council resolution 1373 (2001) by Member States through the preliminary implementation assessments it has prepared for 192 Member States and through country visits. Since July 2008, 123 States have submitted information to the Executive Directorate containing updates on their implementation of resolution 1373 (2001). The Executive Directorate has conducted 27 visits to Member States, bringing the total number of States visited to 55.

46. In order to enhance the awareness of Member States about the progress made and the remaining challenges in combating terrorism worldwide, the Executive Directorate has updated and published its global implementation survey of the status of implementation of resolution 1373 (2001) by all Member States, in the fields of legislation, international cooperation, financial law and practice, law enforcement, border control and small arms. The Executive Directorate has also developed a technical guide on resolution 1373 (2001), issued in January 2010, in order to assist Member States in their efforts to implement it.

47. The Strategy encourages efforts to improve the transparency and accountability of procedures for placing individuals and entities associated with Al-Qaida and the Taliban on, and for removing them from, the consolidated list of the Security Council Committee established pursuant to resolution 1267 (1999). The 1267 (1999) Monitoring Team, with support from the Office of Legal Affairs on ensuring due process, has assisted in the review of all names conducted by the Committee. In addition, the Team has prepared summaries of the reasons for listing individuals and entities, in close consultation with the States that have designated them. In addition, in June 2010, the Secretary-General appointed an ombudsperson, pursuant to Security Council resolution 1904 (2009), to assist the 1267 (1999) Committee in its consideration of delisting requests received from individuals and entities subject to the sanctions measures imposed by the Security Council against Al-Qaida and the Taliban.

48. The 1267 (1999) Monitoring Team also works closely with the International Criminal Police Organization (INTERPOL) to enhance the quantity, quality and distribution of special notices issued by INTERPOL and by the Security Council concerning individuals and entities subject to sanctions. To date, such special notices have been published on more than 330 individuals and 30 entities.

Responding to attacks using weapons of mass destruction and denying illicit trafficking

49. In adopting the Strategy, Member States invited the United Nations to improve coordination in planning a response to an attack using nuclear, chemical, biological or radiological weapons or materials so that Member States can receive adequate assistance. The Counter-Terrorism Implementation Task Force Working Group on Preventing and Responding to Weapons of Mass Destruction Attacks convened its first workshop on "International response and mitigation of a terrorist attack using nuclear and radiological weapons or materials", which was hosted by the International Atomic Energy Agency (IAEA) in Vienna in March 2010. The workshop contributed to fostering better understanding of existing capabilities and current international cooperation and coordination mechanisms. A report will be produced on the coordination of the United Nations system entities and other participating organizations in the event of a nuclear terrorist attack. The Working Group plans to implement similar projects on chemical and biological weapons.

50. In the Strategy, Member States resolved to strengthen coordination and cooperation in combating crimes that might be connected with terrorism, including illicit arms trade and the smuggling of potentially deadly materials. In support of this purpose, the IAEA's Illicit Trafficking Database has expanded to 108 Member States and 1 non-member State. By 31 December 2009, States had reported or confirmed 1,801 incidents on the database. The information on the database demonstrates the need for improved measures to detect, control and secure nuclear and other radioactive material.

51. In addition, UNODC, in close cooperation with IAEA, organizes legislative drafting workshops and subregional and regional capacity-building workshops and prepares specialized tools on the international legal framework for combating nuclear, chemical, biological and radiological terrorism.

52. The World Customs Organization provides a technical platform for the implementation of regional and global operational enforcement activities, in particular on preventing proliferation of materials that may be used for weapons of mass destruction.

53. UNICRI has conducted a risk assessment of illicit trafficking of chemical, biological, radiological or nuclear materials and weapons in the Euro-Asian region, collecting and analysing data from 25 countries. It has also developed with partners a pilot knowledge management system in South-Eastern Europe and the Caucasus region, with the aim of improving information exchange and developing durable cooperation to prevent such trafficking. UNICRI intends to replicate the system in North Africa and the Middle East.

54. In July 2009, the Department of Peacekeeping Operations, UNODC, the United Nations Office for West Africa and INTERPOL launched a joint West Africa Coast Initiative in support of the Economic Community of West African States (ECOWAS) action plan against transnational organized crime. The initiative aims to enhance regional cooperation and develop specialized police capacity. It is expected to promote crime analysis and information sharing, as well as a cohesive political approach to transnational organized crime in the region.

55. In the Strategy, the United Nations system was invited to develop, together with Member States, a single comprehensive database on biological incidents. In

addition, the Secretary-General was encouraged to update the roster of experts and laboratories and the technical guidelines and procedures available to him for the timely and efficient investigation of alleged use.

56. Beginning in 2008, the Office for Disarmament Affairs has been developing its Biological Incident Database and has provided secure web-based access to interested Member States. Member States are encouraged to use the database on a trial basis. Following a briefing to Member States in March 2009, the Office published a paper entitled "Developing a biological incident database".

57. INTERPOL has worked closely with the Office for Disarmament Affairs in the development of its biocrimes database, which will gather information relating to biological cases in which criminal intent is identified and/or where lessons can be drawn, such as biocrimes, acts of bioterrorism, hoaxes and "grey area" incidents. It will contain practical information and standard operating procedures for law enforcement officers handling biocrime incidents.

58. INTERPOL has also conducted a series of train-the-trainer sessions and table-top exercises, bringing together officials from police, public health, customs and crisis management/response, and has developed a new training manual for national trainers, as well as a fellowship programme to equip police officers with the capacity to develop bioterrorism prevention and response strategies in their own countries.

59. The Office for Disarmament Affairs, together with Member States, has strengthened the Secretary-General's mechanism for the investigation of alleged use of biological weapons by expanding the roster of experts and laboratories capable of carrying out fact-finding missions to investigate reports of the possible use. The first training course for experts from the roster, hosted by the Government of Sweden in 2009, resulted in the establishment of a core team of experts trained to perform such missions. The World Health Organization (WHO) provides technical support to the Office for Disarmament Affairs for the improvement of the mechanism by updating the roster of experts, providing equipment and support for that training and updating and refining the relevant technical manuals and procedures.

60. The WHO Global Alert and Response Section is addressing the issue of interface between security and public health. Among its other duties, the Section is responsible for establishing procedures to guide public health responses to potential events and to address health and security concerns at mass gatherings.

61. At the international level, a round-the-clock system of alert and response operations detects international public health events and performs risk assessments of the public health implications of these events. The system is constantly being tested, both through annual exercises and during real events, in order to optimize operational performance and the effectiveness of collaboration with international partners.

62. Through its network of laboratories and technical institutions, including the network of WHO collaborating centres and other informal "virtual" clinical, laboratory, epidemiological and poison centre networks, WHO has rapid access to a range of specialized scientific expertise. Standards and training on laboratory biosafety and biosecurity are being disseminated in all WHO regions to encourage safe use, transport and storage of biological materials, minimizing the risk of their diversion for malicious use. WHO is also exploring the public health issues

surrounding the potential risks of accidentally or deliberately misusing life sciences research and is developing guidance, as well as a self-assessment questionnaire, on responsible life sciences research. In addition, WHO is working in collaboration with the European Union and other partners to strengthen biorisk management and laboratory practices to provide protection against biological risks.

63. WHO is strengthening its stockpiles of vaccines and treatments for disease-specific risks, such as smallpox, is exploring the possibility of a new global stockpile for radio-nuclear and chemical emergencies and has developed and refined internal standard operating procedures to respond to intentionally caused outbreaks and emergencies.

64. In 2009, UNICRI, in collaboration with the European Commission, initiated a project on present and future security implications of advances in biotechnology, with a focus on the dual-use potential of synthetic biology and nanobiotechnology. A similar collaboration is also planning to create chemical, biological, radiological and nuclear centres of excellence, with the aim of assisting States in developing a comprehensive strategy for the mitigation of risk in these areas.

Countering the financing of terrorism

65. In the Strategy, States are encouraged to implement the Forty Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing promulgated by the Financial Action Task Force, while recognizing that States may require assistance in doing so.

66. Since 2009, UNODC's global programme against money-laundering, proceeds of crime and the financing of terrorism has delivered national financial investigation training courses in Kyrgyzstan, Egypt, Cambodia, Ecuador and the United Republic of Tanzania, focusing on investigation skills and fostering close working relationships between police and prosecutors. Courses on financial analysis were held in Viet Nam, Burkina Faso, Albania, Colombia, India and Morocco to develop knowledge and skills in this area.

67. Since July 2008, the International Monetary Fund (IMF) has published 13 assessment reports (Djibouti, Comoros, Mauritius, United Arab Emirates, Qatar, Paraguay, Palau, Mexico, Cape Verde, Austria, Armenia, Germany and the island of Guernsey) that focus on national compliance with standards on money-laundering and crime and the financing of terrorism and identify shortcomings. Preparations are under way for assessment missions to the Netherlands (June-July 2010), Maldives (October 2010), Kuwait (October 2010), Afghanistan and Albania.

68. In 2009, IMF began implementing its new model for externally funded technical assistance delivery by embarking upon a full programme of bilateral assistance on activities related to money-laundering and crime and the financing of terrorism covering some 24 countries. Activities include financial supervision, issues specific to customer due diligence, institutional and regulatory frameworks, financial intelligence units, non-profit organizations, confiscation and international cooperation.

69. In addition, IMF is completing the third in a series of handbooks on these issues that will consist of a practical guide on confiscating proceeds and benefits of crime and freezing and confiscating terrorist-related assets. IMF has also advanced

its work on the assessment of money-laundering risk and on integrating money-laundering into a macroeconomic model.

70. The World Bank has published working papers entitled "New Technologies, New Risks: Innovation and Countering the Financing in Terrorism" and "Alternative Remittance Systems and Terrorism Financing Issues in Risk Management", and will issue another publication on terrorism financing and non-profit organizations. The Bank will soon conduct a horizontal review of all of its publications on alternative remittance systems with a view to identifying common patterns and trends. The Bank also provides assistance to countries around the world on the criminalization of terrorist financing and other issues that cover standards on both money-laundering and crime and the financing of terrorism.

71. Customs administrations, who are key stakeholders in implementing appropriate measures at the border in line with the provisions of the Special Recommendation of the Financial Action Task Force on cash couriers, also have the necessary access to information to identify potential cases of trade-based money-laundering. In this context, the World Customs Organization is promoting the cooperation on these issues between customs administrations and other competent authorities. The World Customs Organization also cooperates with UNODC in countering the financial flows linked to the illicit production and trafficking of Afghan opiates.

72. In October 2009, the Task Force's Working Group on Tackling the Financing of Terrorism, which is co-chaired by the World Bank, IMF and UNODC, published a report in all six official languages of the United Nations containing 36 findings and 45 recommendations to help Member States increase the effectiveness of their efforts to combat the financing of terrorism. The report covers five areas: (a) the criminalization of terrorist financing; (b) the enhancement of domestic and international cooperation; (c) value transfer systems; (d) non-profit organizations; and (e) the freezing of assets. IMF has prepared an action plan containing proposals to implement the report's recommendations for consideration by the members of the Working Group. Most of the entities participating in the Working Group have already integrated elements of the recommendations into their own work programmes.

Enhancing transport security

73. The Office of Legal Affairs continues to provide advice and assistance to Member States and international organizations on the legal framework for addressing maritime security issues, including terrorist acts against ships, offshore installations and other maritime interests. As secretariat to the 1982 United Nations Convention on the Law of the Sea, the Office of Legal Affairs also provides information and advice at relevant conferences and meetings on maritime security.

74. The Strategy encourages the adoption of additional legislation and administrative measures to implement the terrorist travel-related obligations and to identify relevant best practices. The International Civil Aviation Organization (ICAO) has been developing relevant measures by producing two draft instruments to amend both the Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague Convention of 1970) and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (the Montreal Convention of 1971). The draft amendments propose to criminalize certain acts that present new threats to civil aviation, including the act of using civil aircraft to serve as a weapon and the act of using certain dangerous materials from civil aircraft to attack such

aircraft or other targets on the ground. A diplomatic conference will be held in Beijing from 30 August to 10 September 2010 to finalize and adopt the two draft instruments.

75. The ICAO Aviation Security Panel has recommended further strengthening its civil aviation security programme. The Panel addressed the existing regulatory gaps by amending the standards and recommended practices contained in annex 17 to the Convention on International Civil Aviation. The Panel stressed the importance of exploring the innovative use of passenger data in order to share information more effectively. ICAO has also developed a comprehensive strategy for enhancing aviation security over the 2011 to 2016 period.

76. ICAO has established a worldwide partnership to provide assistance to contracting States in implementing the standards and specifications related to machine readable travel documents. Since September 2008, with its partners, ICAO has helped 58 States to improve their travel document issuance and border control processes. The Counter-Terrorism Committee Executive Directorate has been also working with ICAO, the Office of the United Nations High Commissioner for Refugees (UNHCR) and INTERPOL in the areas of aviation security and travel documents and in the creation of a database for lost or stolen small arms. UNHCR has been strongly encouraging States issuing convention travel documents to refugees and stateless persons only to issue documents that are compliant with ICAO machine readable standards.

77. In 2009, the ICAO universal security audit programme completed its programme of follow-up visits to audited States to validate the implementation of their corrective action plans related to the first cycle of audits. The results reveal a markedly increased level of implementation of ICAO security standards.

78. In 2002, the International Maritime Organization (IMO) adopted mandatory measures to enhance maritime security as a new chapter (XI-2) to the International Convention for the Safety of Life at Sea (1974), as amended (SOLAS), and the International Ship and Port Facility Security (ISPS) Code. These measures, which became effective on 1 July 2004, are implemented by 159 Member States, representing 99 per cent of the world's merchant fleet. Approximately 40,000 ships engaged in international voyages and about 10,000 port facilities serving them have had their security plans developed and approved. In addition, through the adoption of amendments to chapter V of SOLAS in 2006, IMO is currently implementing a new mandatory long-range tracking and identification system to permit the tracking of ships globally. The adoption of two new protocols into the Convention on the Suppression of Unlawful Acts against the Safety of Navigation and its protocol relating to fixed platforms located on the continental shelf have extended the scope of IMO to cover new offences, such as using the ship in a manner that causes death or serious injury and the unlawful carriage of weapons or material that could be used for weapons of mass destruction. New boarding provisions for suspect ships have also been included. IMO continues to provide advice and assistance to Member States and international organizations on all aspects of maritime security, including terrorist acts against ships, offshore installations and other maritime interests. IMO also maintains a vibrant technical cooperation programme, assisting contracting Governments to SOLAS in meeting their obligations with respect to maritime security through training courses, needs assessment missions, seminars and

workshops on a regional and national basis; and providing information and advice at relevant conferences and meetings on maritime security.

79. The World Customs Organization has also been implementing a number of measures focusing on the security of international trade supply chain. Such measures include the development and implementation strategy for the Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework) to establish globally agreed measures to improve security in the movement of goods in international trade.

Countering the use of Internet for terrorist purposes

80. In the Strategy, Member States resolved to work with the United Nations to coordinate efforts to counter terrorism on the Internet and to use the Internet as a tool for countering the spread of terrorism. In February 2009, the Task Force Working Group on Countering the Use of the Internet for Terrorist Purposes produced a report. It has held two international meetings in 2010 on the legal issues surrounding efforts to the use of the Internet for terrorist purposes and on technical implications related thereto. The two meetings were well attended by Member States and the private sector. The first meeting was hosted by the German Foreign Ministry and the second by the Microsoft Corporation. The Working Group plans to hold a third meeting on counter-narratives in November 2010 in Saudi Arabia. The project will result in a comprehensive guide, containing an overview of the challenges as well as potential best practices or recommendations in the legal, technical and counter-narrative areas.

81. UNODC provides technical assistance and training to States to improve national legislation and build the capacity of national authorities to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime, and to enhance the security of computer networks.

Enhancing information-sharing

82. The Strategy encourages the timely exchange of information concerning the prevention and combating of terrorism. The Department of Public Information continues to play a key role in this regard by disseminating information on the counter-terrorism work of the United Nations among Member States, non-governmental organizations, the media and civil society through the websites it maintains in the six official languages: (a) United Nations Action to Counter Terrorism (www.un.org/terrorism); (b) Security Council Counter-Terrorism Committee (www.un.org/sc/ctc); (c) 1540 Committee (www.un.org/sc/1540); and (d) the site of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and Associated Individuals and Entities (www.un.org/sc/committees/1267). The Office of Legal Affairs maintains the website on the work of the Ad Hoc Committee established by General Assembly resolution 51/210 (www.un.org/law/terrorism/index.html). At United Nations Headquarters, the Department of Public Information issued a total of 95 press releases on intergovernmental meetings relating to counter-terrorism from September 2008 to date, in addition to relevant news and features produced by United Nations Radio and United Nations Television.

83. The Department of Public Information, including through its network of United Nations information centres, has also carried out outreach activities through

briefings, lectures, dedicated websites and an expanded information kit on the United Nations counter-terrorism work. As an example, the United Nations information centre in Burkina Faso organized a conference on the Strategy in September 2009 in partnership with the national Ministry of Defence. Since September 2008, the Department has organized 44 in-house briefings and three videoconferences related to counter-terrorism at Headquarters, reaching 1,882 participants, largely university students. During the same period, the Department responded to 180 queries from the public on the topic.

84. In Vienna, in October 2009, UNODC, in close cooperation with the Task Force office and the Executive Directorate, organized, with the Governments of Austria, Norway, Switzerland and Turkey, as well as the Governments of Costa Rica, Japan and Slovakia, an international workshop of national counter-terrorism focal points entitled "Better linking national and global counter-terrorism efforts". The workshop which was attended by the national counter-terrorism focal points of 114 Member States, provided a forum for the exchange of views, the promotion of networking and the sharing of information on national counter-terrorism activities, including on the implementation of the Strategy.

85. INTERPOL, through its secure global communications system, I-24/7, provides enhanced and timely sharing of information and early warnings concerning terrorism and other transnational crimes among its 188 member countries, most of which are also States Members of the United Nations. INTERPOL's available databases and tools include international colour-coded notices as well as the special notices issued by INTERPOL and the Security Council, which alert law enforcement officials worldwide concerning the activities of wanted persons, persons and entities subject to United Nations sanctions, dangerous goods, stolen and lost travel documents and other threats to global security. INTERPOL also undertakes extensive public information activities to ensure that this information reaches the widest possible audience.

86. On 22 January 2009, in order to enhance the exchange of information between Task Force entities and member States, UNICRI organized a conference at United Nations Headquarters on "Innovative policies to advance security governance", bringing together Member States, international organizations, security experts and civil society representatives and providing a forum to raise awareness of security governance and counter-terrorism issues.

IV. Measures to build State capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

87. The Strategy underlined and General Assembly resolution 62/272 reaffirms the role of the United Nations system in promoting international cooperation and capacity-building in the field of countering terrorism. Many Task Force entities continue to contribute to the implementation of measures outlined under this aspect of the Strategy.

Legal assistance

88. UNODC has provided technical assistance on criminal justice aspects of countering terrorism within the framework of its Global Project on Strengthening the Legal Regime against Terrorism, launched in January 2003. The project has contributed to increasing the number of States becoming parties to the international legal counter-terrorism instruments and the elaboration of new or revised counter-terrorism legislation. Thus far, an estimated 529 ratifications or accessions have been undertaken by assisted Member States; and 69 assisted countries have prepared new or revised counter-terrorism legislation. Overall, the project has assisted 168 countries, trained more than 10,000 national criminal justice officials and developed 19 specialized technical assistance tools and publications, including legislative databases such as the database on electronic legal resources on international terrorism and model legislative provisions against terrorism. The Office of Legal Affairs, in collaboration with UNODC, publishes "International Instruments Related to the Prevention and Suppression of International Terrorism".

89. In response to the increased demand for sustained, custom-tailored, capacity-building assistance on the ground, UNODC is assisting Member States in developing national action plans and supporting their implementation, in particular by reaching out to the criminal justice practitioners involved in the investigation, prosecution and adjudication of concrete cases. In addition, UNODC has recently launched various activities to promote international cooperation in criminal matters related to terrorism, such as the establishment of a "justice platform" for practitioners from member States of the Indian Ocean Commission.

90. UNODC is currently developing a comprehensive legal training curriculum for criminal justice officials to facilitate the transfer of specialized counter-terrorism legal knowledge and expertise in a systematic manner, using a train the trainers approach and information technology-based delivery modalities. Two intensive online training courses have attracted participants from 72 countries worldwide so far. The Terrorism Prevention Branch is setting up a "permanent virtual training platform" to further enhance the sustainability of capacity-building activities.

91. The Counter-Terrorism Committee Executive Directorate continues to work closely with international, regional and subregional organizations, as well as with the relevant United Nations bodies and donor States, to identify available technical assistance programmes that could assist Member States and enhance their capacity to combat terrorism. In South Asia, the Executive Directorate has set up a regional project involving police officers and prosecutors from all States in the region, who meet regularly to discuss issues that they identify as of crucial importance to the States of the region. In Europe, the Executive Directorate provides substantive input to the counter-terrorism technical assistance activities of the European Union within the framework of its stability instrument. In Africa, the Executive Directorate has partnered with Member States and the African Centre for Studies and Research on Terrorism in workshops on terrorism-related matters, including facilitating regional work on terrorist financing for Member States of North Africa and the Sahel.

92. The 1267 (1999) Monitoring Team has also helped to build State capacity by offering briefings and training sessions on the sanctions regime to relevant officials both through regional and international organizations and at the national level.

Building capacity to prevent proliferation and respond to attacks using weapons of mass destruction

93. The Strategy encourages IAEA and the Organization for the Prohibition of Chemical Weapons to help States to build capacity to prevent terrorists from accessing nuclear, chemical radiological materials and to ensure security at related facilities. IAEA continued to assist States in the area of nuclear security human resources development. In 2009, the Agency conducted 51 training events on all aspects of nuclear security, reaching 1,275 people from 120 countries.

94. In addition, IAEA continued to consolidate the nuclear security needs of States into integrated nuclear security support plans, which serve as a framework for implementing nuclear security activities and improvements. In 2009, the number of States that had approved their support plans rose to 18. To help States assess the status of their technical and administrative arrangements, IAEA conducted 14 nuclear security advisory and evaluation missions during 2009, with emphasis on physical protection, legal, regulatory and practical measures for controlling nuclear and other radioactive material. Several additional missions reviewed measures for the detection of illicit nuclear trafficking and response to incidents related to nuclear security. The Agency also conducted a number of technical visits, which addressed security needs at locations, including border crossings, medical facilities, scientific institutes and industrial sites. In 2009, IAEA organized the International Symposium on Nuclear Security, which was attended by over 500 participants from 76 countries.

95. IAEA maintains a legislative assistance programme that provides its member States with advice on all areas of nuclear law, including nuclear safety, nuclear security, safeguards and non-proliferation, as well as civil liability for nuclear damage. In 2009, under the programme, IAEA provided bilateral legislative assistance to 24 member States. In May 2009, a workshop on implementing legislation in nuclear security for the League of Arab States was held in Vienna. In 2009 the IAEA conducted an international team of experts mission to Uzbekistan to facilitate adherence to and implementation of international instruments relevant to protection against nuclear terrorism.

96. In providing guidance on nuclear security for member States, two new documents in the IAEA nuclear security series were published in 2009 on the development, use and maintenance of the design basis threat and the security of radioactive sources. IAEA will issue three nuclear security recommendations documents in the near future.

97. During 2009, the 1540 (2004) Committee participated in over 40 events worldwide on the implementation of the resolution and the identification of capacity needs. The Committee also organized a comprehensive review of the status of the implementation of resolution 1540 (2004), which demonstrated that significant progress had been made by States, including through the adoption of relevant measures. In support of the activities of the Committee, the Office for Disarmament Affairs organized six regional workshops in 2008-2010, focusing on national and regional capacity-building, in particular in the areas of border and export controls.

98. In 2009, the Organization for the Prohibition of Chemical Weapons co-organized and supported three international events in the Netherlands, Croatia and Bosnia and Herzegovina, which aimed at discussing how implementing the Chemical Weapons Convention contributes to the implementation of resolution 1540

(2004), and how the Organization for the Prohibition of Chemical Weapons can enhance the promotion of effective national standards and practices as well as technical coordination and cooperation in the field of chemical weapons.

99. WHO is committed to a programme of national capacity-building based on "core competencies" for detection and response to public health emergencies of international concern. Activities are being implemented to support the public health functions of Member States, as requested by the International Health Regulations (2005). WHO has prepared guidance to assist countries in assessing their readiness to deal with the public health consequences of deliberately caused incidents involving chemical, biological and/or radiological agents or materials. Guidelines for establishing and strengthening prevention and response systems for the deliberate contamination of food have been made available to Member States and, in addition, a manual for the public health management of chemical incidents has been developed. These guidelines are supported by a large number of technical documents and information material intended to assist Member States in strengthening all public health capacities related to incidents and emergencies. WHO is also contributing to INTERPOL training of public health, law enforcement and customs officers in prevention of bioterrorism.

100. In addition, WHO mobilizes international networks of public health partners to assist countries to respond to public health events, a system activated on request from countries. Among these specialized networks are the Global Outbreak Alert and Response Network; ChemiNet, for alert and response to chemical events; the International Food Safety Authorities Network, and the Radiation Emergency Medical Preparedness and Assistance Network, for radio-nuclear emergencies.

101. The Organization for the Prohibition of Chemical Weapons routinely holds programmes and training courses, including those for emergency responders, in all regions of the world. This effort is supplemented by periodic field exercises for the delivery of assistance, in cooperation and coordination with other organizations, including the United Nations. The next such exercise is scheduled to be held in Tunisia from 11 to 15 October 2010. The exercise is intended to provide a framework for evaluating the level of preparedness of the Organization for the Prohibition of Chemical Weapons to deliver assistance, as well as the level of preparedness of the States parties and their assistance-related assets.

102. In response to the concerns by its Member States that the chemical facilities may become subject to attacks or other incidents that could lead to the release or theft of toxic chemicals, the Organization for the Prohibition of Chemical Weapons has begun work on developing a strategy on enhancing the security of chemical facilities, in which it is envisaged that its role as a support platform for global cooperation in lessening the chemical threat by promoting awareness of chemical security best practices and by fostering cooperation between chemical professionals will be developed.

103. In November 2010, the Organization for the Prohibition of Chemical Weapons will conduct a table-top exercise in Poland on reducing the risks of toxic chemicals being acquired or used for terrorist purposes. The exercise aims to support the development of national capabilities and regional and international cooperation between States parties to reduce risks related to terrorism with use of chemical weapons or release of toxic chemicals as a result of an attack at a chemical plant. The exercise will examine decision-making and information exchange between

Governments, as well as the conditions to be met in order for relevant national and international organizations to offer assistance.

Assisting transport security and border control

104. The Strategy encourages the International Civil Aviation Organization (ICAO), the World Customs Organization (WCO) and the International Maritime Organization (IMO) to work with Member States to identify national shortfalls in transport security and provide assistance to address them. Through its Global Programme on Maritime Security, IMO has conducted 72 country needs assessment and advisory missions, 72 national and 59 regional seminars, workshops or courses, resulting in the training of some 6,100 persons on methods for ensuring maritime security. These activities aimed to raise awareness to maritime security through the understanding and implementation of International Convention for the Safety of Life at Sea (SOLAS) (chapter XI-2) and the International Ship and Port Facility Security Code. IMO train-the-trainer courses have trained instructors at the regional and national levels to train others to achieve these aims. IMO also conducted regional initiatives, in coordination with other United Nations partners, to promote national and regional inter-agency cooperation to address maritime terrorism in the wider context of maritime security, suppressing maritime crime and developing maritime situational awareness.

105. ICAO, under its implementation support and development programme for aviation security, continues to provide short-term assistance to Member States in the development and implementation of a viable and sustainable aviation security system. Since September 2008, 24 States have received support in order to rectify security deficiencies and enhance their oversight systems. ICAO also provides standardized training to Member States through a global network of 18 aviation security training centres.

106. WCO provides technical assistance and training services to national customs administrations in stimulating the growth of legitimate international trade in order to support efforts to combat fraudulent activities and enhance the protection of society and the national territory. These activities are geared towards the modernization of border and customs control structures, taking due account of the threats posed by terrorism and organized crime groups.

107. In some peacekeeping operations, police teams of the Department of Peacekeeping Operations are conducting training, as well as mentoring host-State police and other law enforcement agencies, in order to enhance their investigative capacity in criminal intelligence and special investigations. In Haiti, the focus was on building the capacity of the Haitian National Police in countering transnational organized crime and human and drug trafficking, including building maritime police service. In the United Nations Integrated Mission in Timor-Leste (UNMIT), the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) and the United Nations Mission in Liberia (UNMIL), the focus also included strengthening the customs and border management systems of the host States.

108. UNICRI, in cooperation with the European Commission and with the technical support of relevant organizations such as IAEA and the Organization for the Prohibition of Chemical Weapons, has implemented a knowledge management system on the prevention of chemical, biological, radiological and nuclear trafficking in South-East Europe and the Caucasus, with a view to promoting the

transfer and sharing of accumulated international and national experience in the area of such trafficking, including applying knowledge and lessons learned from the nuclear security field to the chemical and biological security field. The project has developed a network of national focal points who communicate and exchange information through a secure portal. UNICRI is also developing a second knowledge management system in North Africa and the Middle East.

109. In light of the important areas of border control and management, as outlined in the Strategy, consultations are under way among relevant Task Force entities to set up a working group on border management. The group is expected to focus on the exchange of information about emerging trends and practical activities within the framework of their respective mandates, the development of good practices and the identification of technical assistance needs in shared areas.

Integrated assistance for countering terrorism

110. The Strategy underlines the need to enhance coherence within the United Nations system in fostering international cooperation in countering terrorism and promoting all four pillars of the Strategy. Through its integrated assistance for countering terrorism initiative, coordinated by the Executive Office of the Secretary-General, the Counter-Terrorism Committee Executive Directorate and UNODC, the Task Force has developed a methodology that enables partnering Member States to address their requests for Strategy-related assistance related to all four pillars to the members of the Task Force in a user-friendly way, via one entry point. The initiative, through which Task Force entities act as "one United Nations", helps to avoid duplication of work, makes use of increased consultation and maximizes the impact of assistance delivery.

111. The Executive Office of the Secretary-General provides policy guidance through regular engagement with the Task Force entities, soliciting their support and advice with regard to Member States taking part in the integrated assistance initiative. UNODC has set up an Internet-based interactive information system, which serves as a key communications mechanism among Task Force entities in implementing the initiative. The information system has facilitated an initial mapping of identified needs and assistance activities by Task Force entities with regard to the partnering Member States, Nigeria and Madagascar, and a similar exercise is currently under way for Burkina Faso. This exercise serves as the basis for the elaboration of country-specific action plans for assistance delivery.

Protecting vulnerable targets and engaging the private sector

112. The Strategy also encourages the United Nations to work with Member States and relevant international, regional and subregional organizations to identify and share best practices to prevent terrorist attacks on particularly vulnerable targets by recognizing the importance of developing public-private partnership in this area.

113. The Task Force Working Group on Strengthening the Protection of Vulnerable Targets aims to establish appropriate mechanisms to facilitate the sharing and development of best practices in this area. A referral centre was established at INTERPOL headquarters in Lyon, France, to facilitate the exchange of knowledge, resources, experts, technical assistance and best practices to protect vulnerable targets among States. During the almost two years of the centre's operation, 134 States have contributed input. Upon request, INTERPOL assists States seeking

to develop or enhance protection strategies by obtaining assistance from among the network of experts/resources identified through the centre.

114. In January 2009, UNICRI published a report entitled "Public-Private Partnerships for the Protection of Vulnerable Targets: Review of Activities and Findings". The report identified some basic principles and practices for public-private partnerships that should be considered when introducing such policies. The report was disseminated in cooperation with INTERPOL and its referral centre and is available in French, Arabic and Spanish. Since then, UNICRI, with support from the Government of Portugal and a consortium of Portuguese public and private companies, has developed an international mechanism to promote public-private partnerships worldwide and to set up a major outreach initiative in the country.

115. UNICRI has produced a handbook to facilitate the establishment of public-private partnerships at the national and local levels, following up on workshops held in Norway (June 2009) and Portugal (February 2010), which were attended by an international public-private partnership coalition (an amalgamation of UNICRI partners). In addition, together with the Ministry of Interior of the United Arab Emirates, UNICRI organized an international symposium (May 2009) and a workshop (March 2010) in Abu Dhabi to enhance synergies between public and private sectors for vulnerable target protection.

116. UNICRI is also promoting the concept of public-private partnerships through its "international permanent observatory on major events security", in particular through the design of a "Major events international academy" and the implementation of two regional initiatives: EU-SEC, implemented in Europe with support from the European Commission and in cooperation with EUROPOL and 24 member States of the European Union, which sets the basis of the "European house of major events"; and the International Permanent Observatory (IPO Americas), a joint initiative of UNICRI and the Inter-American Committee Against Terrorism, which is supported by the Government of Canada and implemented in cooperation with 27 member States of the Organization of American States.

Institutionalization of the Counter-Terrorism Implementation Task Force

117. In the Strategy, Member States welcomed the intention of the Secretary-General to institutionalize the Counter-Terrorism Implementation Task Force within the Secretariat. In General Assembly resolution 62/272, Member States urged the Secretary-General to make the necessary arrangements to carry out the institutionalization of the Task Force in order to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system. On 24 December 2009, the General Assembly adopted resolution 64/235 through which the Task Force was institutionalized. The Secretary-General has established an office of the Task Force within the Department of Political Affairs. The institutionalization of the Task Force reinforces the Strategy by providing a core and dedicated body within the Secretariat. The Task Force, in turn, ensures that its participating entities provide advice, support and technical assistance to Member States in a coordinated manner. It will also facilitate the effective implementation of the Strategy by Member States, which have the primary responsibility in that endeavour.

V. Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

118. The Strategy reaffirms that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular human rights, refugee and humanitarian law. The Strategy underlines that respect for human rights and the rule of law are fundamental to the fight against terrorism and that the promotion and protection of human rights for all and respect for the rule of law are essential to all four pillars of the Strategy. It recognizes that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing.

119. The United Nations High Commissioner for Human Rights, together with her Office (OHCHR), continue to examine the question of human rights while countering terrorism and to provide advice on the obligations of States in this regard. The High Commissioner has addressed the issue of detention in the context of counter-terrorism, as well as issues related to the absolute prohibition of torture. OHCHR has also examined the impact of counter-terrorism measures on economic, social and cultural rights (see A/HRC/12/22), as well as challenges related to complying with human rights obligations, in particular the issues of accountability, ending impunity and effective remedies in the context of countering terrorism (A/HRC/13/36).

120. In October 2009, the High Commissioner briefed the Counter-Terrorism Committee on key human rights issues that fall within the Committee's mandate, and underscored the need for the Security Council's counter-terrorism bodies to consider a broader approach in their work in this area, such as that adopted by the General Assembly in the Strategy.

121. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism continued to report to the General Assembly and the Human Rights Council. The Special Rapporteur liaised with or appeared before the Counter-Terrorism Committee, the 1267 (1999) Sanctions Committee and the Counter-Terrorism Committee Executive Directorate to discuss issues of human rights compliance while countering terrorism. In addition, he conducted country missions to Egypt (April 2009) and Tunisia (January 2010). His regular thematic reports dealt with the role of intelligence agencies in countering terrorism, gender, human rights and counter-terrorism and the erosion of the right to privacy in the fight against terrorism. At the request of the Human Rights Council, the Special Rapporteur produced a compilation of 35 elements of good practice by intelligence agencies and their oversight bodies in securing respect for human rights while countering terrorism.

122. OHCHR has organized regional seminars on human rights and counter-terrorism in the Middle East (Amman, October 2008) and North Africa (Dushanbe, April 2009), and has also has contributed substantively to other relevant meetings and training programmes.

123. The United Nations human rights mechanisms have also continued to examine various challenges in respecting human rights while countering terrorism, reflected in the report of the Secretary-General on the protection of human rights and

fundamental freedoms while countering terrorism (A/64/186). In addition to the work of the Special Rapporteur on the promotion and protection of human rights while countering terrorism, which includes a compilation of good practices on legal and institutional frameworks and measures that ensure respect for human rights by intelligence agencies while countering terrorism, including on their oversight (A/HRC/14/46), this topic has also been addressed inter alia by the Working Group on Arbitrary Detention, the Special Rapporteur on torture and the Working Group on Enforced or Involuntary Disappearances, all of which contributed to a joint study on secret detention. The universal periodic review mechanism of the Human Rights Council also systematically focuses on human rights and counter-terrorism issues.

124. In accordance with the Strategy, all counter-terrorism technical assistance activities of the UNODC promote a strong criminal justice-based approach guided by the normative framework provided by the universal legal regime against terrorism and implemented in full compliance with the rule of law and human rights. The Terrorism Prevention Branch of UNODC has recently organized a number of regional and subregional meetings with a specific focus on human rights, including the "Expert group meeting on bringing terrorists to justice: a coordinated approach in the light of human rights", held in Copenhagen in May 2009. A contribution has also been made by the UNODC technical assistance projects that are aimed at improving the management and operation of law enforcement agencies and the judiciary and penitentiary systems, in accordance with United Nations standards and norms on crime prevention and criminal justice.

125. UNODC facilitates rule of law-based response to terrorism through a number of technical assistance tools, available in the six official languages of the United Nations, including: (a) *Frequently Asked Questions on International Law Aspects of Countering Terrorism,* which provides relevant policymakers, legislators and criminal justice officials with an overview of the basic elements of international law, international criminal law, international humanitarian law, international human rights law and refugee law pertinent to countering terrorism; (b) *Handbook on Criminal Justice Responses to Terrorism*, which addresses the challenges faced by policymakers, law enforcement agencies, prosecutors, defence counsel, the judiciary and correctional authorities and also describes accountability and oversight mechanisms for all these components; and (c) *Digest of Terrorist Cases for Practitioners*, which was developed with judges and prosecutors from various countries and was launched during the twelfth United Nations Congress on Crime Prevention and Criminal Justice in April 2010 in Salvador, Brazil.

126. During the twelfth Congress, the Task Force office, in cooperation with OHCHR and UNODC, organized a workshop on the "United Nations Global Counter-Terrorism Strategy in Action: Bringing Terrorist Suspects to Justice in Compliance with Human Rights". The office also participated in a side event on supporting victims of terrorism.

127. In its work, pursuant to policy guidance on human rights adopted by the Committee, the Counter-Terrorism Committee Executive Directorate takes account of relevant human rights issues, including refugee protection and asylum, in assessing the implementation by Member States of Security Council resolutions 1373 (2001) and 1624 (2005), including in the course of the Committee's country visits. The Executive Directorate also incorporates human rights considerations into

its communications strategy, as appropriate, and includes relevant human rights elements in all of its activities, including workshops and thematic studies.

128. In order to assist Member States in implementing the human rights aspects of the Strategy, the Task Force has formed the Working Group on Protecting Human Rights While Countering Terrorism, led by OHCHR. The Working Group has focused on the development of a set of basic human rights reference guides to support Member States in strengthening the protection of human rights in the context of counter-terrorism. They aim to provide guidance to State authorities, national and international non-governmental organizations, legal practitioners and United Nations agencies, as well as to individuals, on how human rights-compliant measures can be adopted in a number of counter-terrorism areas, including detention in the context of counter-terrorism, the principle of legality in national counter-terrorism legislation, proscription of organizations, stopping and searching of persons and designing security infrastructure.

129. In May 2009, the Working Group briefed Member States on its work, which was attended by representatives of over 90 Member States representatives. The Working Group has also initiated contacts with civil society representatives and non-governmental organizations working in the field of human rights. Members of the Working Group have also met with the international development organization, Cordaid, and with the International Commission of Jurists.

130. In 2008, the Working Group organized an expert seminar which focused on the impact of terrorism and counter-terrorism measures on the enjoyment of economic, social and cultural rights. The findings contribute to the development of policy guidance and recommendations for the promotion and protection of economic, social and cultural rights in the context of countering terrorism, when providing assistance and advice to Member States.

131. UNHCR continues to seek to ensure that measures taken by States, international/regional bodies and other actors to counter terrorism comply with international legal obligations towards refugees and stateless persons. The Office also seeks to ensure that the exclusion clauses of the international conventions for the protection of refugees and stateless persons are scrupulously applied, so that persons undeserving of international protection under those conventions, including persons responsible for terrorist acts, do not obtain such protection.

VI. Recommendations on the way forward

132. In its resolution 62/272, the General Assembly called upon Member States, the United Nations and other appropriate international, regional and subregional organizations to step up their efforts to implement the United Nations Global Counter-Terrorism Strategy in an integrated manner and in all its aspects. Looking to the future, the Secretary-General envisages enhanced implementation of the Strategy through building in-depth knowledge of the Strategy, strengthening partnerships and ensuring comprehensiveness.

Building in-depth knowledge

133. While knowledge of the work of the United Nations system in the area of counter-terrorism has increased, especially among key practitioners, there is still a

need for an in-depth knowledge of the United Nations Global Counter-Terrorism Strategy in order to translate into action provisions on national, regional and global levels. Member States and Task Force entities should increase their efforts and cooperation in this regard.

Strengthening partnership

134. The Task Force should continue to be the focal point of the United Nations system, along with various partners, on the implementation of the Strategy. To that end, its future work will be directed by three objectives: (a) Member States, United Nations system entities and relevant international and regional organizations achieve enhanced collaboration and information exchange concerning the implementation of the Strategy; (b) Member States receive coordinated advice from the United Nations system, as well as access to good practices and support in implementing the four pillars of the Strategy; (c) requesting countries receive coordinated assistance from the United Nations system, delivered as "one United Nations", for the integrated implementation of the Strategy.

135. The United Nations system, particularly through the Counter-Terrorism Implementation Task Force, endeavours to enhance interaction with Member States on the implementation of the Strategy, including greater engagement with policymakers and practitioners working in the field of counter-terrorism. In addition to regular briefings to the General Assembly,[2] the Task Force office envisages the development of a global counter-terrorism initiative to serve as a mechanism for such interaction. The initiative would serve as a forum to share national, regional and international experiences and best practices on implementing the four pillars of the Strategy, enhance a global network of national and regional counter-terrorism focal points and assist the Task Force office and entities in developing programmes for relevant actors to maximize the impact of the Strategy. It would also promote inter-religious, inter-faith, cross-regional, multidisciplinary and cross-sectoral dialogue and cooperation on the implementation of the Strategy.

136. While recognizing that the primary responsibility of implementation lies with Member States, the Strategy underlines the need for collective action at the regional level, particularly through the efforts of regional and subregional organizations. More specifically, the Strategy encourages regional and subregional organizations to mobilize resources and expertise, create or strengthen counter-terrorism mechanisms, improve border and customs control, share best practices in counter-terrorism capacity-building and increase information-sharing. In this view, the United Nations system, and particularly the Task Force, should enhance its engagement with all regional and subregional organizations on supporting implementation of the Strategy at the regional level.

137. In its resolution 62/272, the General Assembly encouraged non-governmental organizations and civil society to engage, as appropriate, in enhancing efforts to implement the Strategy, including through interaction with Member States and the United Nations system. The Task Force welcomes continued partnership with civil society and the private sector in raising awareness and promoting implementation of various elements of the Strategy in the field and in the global community.

---

2 The Counter-Terrorism Implementation Task Force held a briefing for the General Assembly in March 2009. The Task Force plans to hold the next briefing for the Assembly as soon as a Chair of the Task Force is formally appointed.

Ensuring comprehensiveness

138. The four pillars of the Strategy are equally relevant to the global action against terrorism, and hence need to be implemented equally: countering terrorism cannot be addressed in isolation. Counter-terrorism activities promote the objects and purposes of the Charter of the United Nations, including international peace and security, development, human rights and the rule of law, and have to be carried out in accordance with it. The mandate of the Task Force to ensure that the overall coordination and coherence of the activities of its participating entities across the United Nations system is therefore vital. Through its coordination role and engagement with a full range of partners, the Task Force provides a useful platform for a holistic response to terrorism, as represented by its 30 participating entities, as well as by the emphasis that it places on the role that Governments, regional and subregional organizations and other multilateral bodies, the private sector and civil society play in preventing and countering terrorism.

139. The comprehensiveness of implementing the Strategy will not be complete without the conclusion of a comprehensive convention on international terrorism. As committed in the Strategy, Member States should make every effort to reach an agreement on the text and conclude the convention in order to unite behind the global counter-terrorism effort. The United Nations system is ready to continue to provide any support needed in this regard.

VII. Conclusion

140. The United Nations has brought the world a long way in advancing multilateral counter-terrorism cooperation, but we are far from reaching safer shores. The Secretary-General continues to count on Member States, with the support from all parts of the United Nations system, to advance our journey towards peace and security for all. Our strengthened efforts in implementing the United Nations Counter-Terrorism Strategy remain a crucial step towards achieving this goal.

Annex I

Membership and activities of the Counter-Terrorism Implementation Task Force

The Counter-Terrorism Implementation Task Force includes representatives of:

Counter-Terrorism Committee Executive Directorate

Department of Peacekeeping Operations

Department of Political Affairs

Department of Public Information

Department of Safety and Security

Executive Office of the Secretary-General

Expert staff of the Security Council Committee established pursuant to resolution 1540 (2004)

International Atomic Energy Agency

International Civil Aviation Organization

International Criminal Police Organization

International Maritime Organization

International Monetary Fund

International Organization for Migration

Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999)

Office for Disarmament Affairs

Office of the United Nations High Commissioner for Human Rights

Office of the United Nations High Commissioner for Refugees

Office of Legal Affairs

Organization for the Prohibition of Chemical Weapons

Special Rapporteur on the promotion and protection of human rights while countering terrorism

United Nations Development Programme

United Nations Educational, Scientific and Cultural Organization

United Nations Interregional Crime and Justice Research Institute

United Nations Office on Drugs and Crime

World Customs Organization

World Bank

World Health Organization

Observers

Office of the Coordinator for Humanitarian Affairs

Department for Economic and Social Affairs

United Nations Office of the Special Adviser on Africa

Activities of the Counter-Terrorism Implementation Task Force include:

Integrated Assistance for Countering Terrorism

Office of the Counter-Terrorism Implementation Task Force (Chair)

Counter-Terrorism Executive Directorate (lead)

Executive Office of the Secretary-General (lead)

United Nations Office on Drugs and Crime (lead)

All other entities of the Task Force

Working Group on Preventing and Resolving Conflicts

Counter-Terrorism Committee Executive Directorate

Department of Political Affairs (lead)

Department of Peacekeeping Operations

Executive Office of the Secretary-General

Office of the United Nations High Commissioner for Human Rights

Office of Legal Affairs

United Nations Development Programme

United Nations Educational, Scientific and Cultural Organization

United Nations Office on Drugs and Crime

Working Group on Supporting and Highlighting Victims of Terrorism

Executive Office of the Secretary-General (lead)

Department of Public Information

International Civil Aviation Organization

Office of the United Nations High Commissioner for Human Rights

Special Rapporteur on the promotion and protection of human rights while countering terrorism

United Nations Interregional Crime and Justice Research Institute

United Nations Office on Drugs and Crime

Additional partner: United Nations Office for the Coordination of Humanitarian Affairs

Working Group on Preventing and Responding to Weapons of Mass Destruction Attacks

Department of Public Information

Department of Security and Safety

International Atomic Energy Agency (lead)

Office for Disarmament Affairs

Organization for the Prohibition of Chemical Weapons (lead)

United Nations Educational, Scientific and Cultural Organization

United Nations Interregional Crime and Justice Research Institute

World Health Organization

Expert staff of the Security Council Committee established pursuant to resolution 1540 (2004)

International Criminal Police Organization

International Maritime Organization

United Nations Development Programme

United Nations Office on Drugs and Crime

Additional partner: United Nations Office for the Coordination of Humanitarian Affairs

Working Group on Tackling the Financing of Terrorism

International Monetary Fund (lead)

United Nations Office on Drugs and Crime (lead)

World Bank (lead)

Counter-Terrorism Committee Executive Directorate

International Criminal Police Organization

Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) (lead).

Working Group on Countering the Use of the Internet for Terrorist Purposes

Counter-Terrorism Committee Executive Directorate

Executive Office of the Secretary-General (lead)

Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) (lead)

Department of Public Information

Department of Peacekeeping Operations

Department of Safety and Security

International Criminal Police Organization

Office of the United Nations High Commissioner for Human Rights

Special Rapporteur on the promotion and protection of human rights while countering terrorism

United Nations Educational, Scientific and Cultural Organization

United Nations Interregional Crime and Justice Research Institute

United Nations Office on Drugs and Crime

Additional partners: Department of Economic and Social Affairs, secretariat of the Internet Governance Forum, International Telecommunication Union

Working Group on Strengthening the Protection of Vulnerable Targets

Department of Safety and Security (lead)

International Criminal Police Organization (lead)

United Nations Interregional Crime and Justice Research Institute (lead)

Department of Peacekeeping Operations

International Civil Aviation Organization

International Maritime Organization

United Nations Development Programme

Additional partner: United Nations Office for the Coordination of Humanitarian Affairs

Working Group on Protecting Human Rights While Countering Terrorism

Office of the United Nations High Commissioner for Human Rights (lead)

Counter-Terrorism Committee Executive Directorate

Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999)

International Atomic Energy Agency

International Maritime Organization

International Criminal Police Organization

Office of Legal Affairs

Special Rapporteur on the promotion and protection of human rights while countering terrorism

United Nations Interregional Crime and Justice Research Institute

United Nations Office on Drugs and Crime

World Bank

Additional partners: International Committee of the Red Cross, United Nations Office for the Coordination of Humanitarian Affairs

United Nations Interregional Crime and Justice Research Institute: Centre on Policies to Counter the Appeal of Terrorism
(Documentaries project)

Annex II

Inputs from Member States, regional and subregional organizations and other relevant organizations on implementation of the United Nations Global Counter-Terrorism Strategy

Member States

Australia

1. Australia supports ongoing efforts to ensure that the United Nations is equipped to meet the challenge of terrorism and to maximize the contribution that Member States can make to the multilateral counter-terrorism agenda.

2. Australia welcomes initiatives by the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in counter-terrorism efforts at the United Nations. Set out below is an overview of Australia's efforts to implement the four core elements of the United Nations Global Counter-Terrorism Strategy.

Measures to prevent and combat terrorism

3. Since 2001, Australia has introduced a range of important measures aimed at protecting Australians and Australian interests. Australia's domestic counter-terrorism arrangements are predicated on a comprehensive approach that recognizes the need to prevent and prepare for and, if necessary, respond to and recover from terrorist attacks and their consequences.

4. Conscious that an effective legal framework is fundamental to addressing the global terrorist threat, Australia has fully implemented its obligations to freeze terrorist assets under United Nations Security Council resolutions 1267 (1999), 1373 (2001) and successor and related resolutions. Australia is party to 12 of the 13 multilateral international legal instruments dealing with terrorism, 11 of which have been implemented under Australia's domestic legislation. Australia continues to assess the legislative changes necessary to implement the remainder.

5. In February 2010 Australia released its Counter-Terrorism White Paper, "Securing Australia — Protecting our Community". The White Paper sets out Australia's counter-terrorism objectives and the means by which the Australian Government will pursue them. It explains the nature of the terrorist threat to Australia and sets out the Government's policy and strategy for countering domestic and international terrorism. The strategy has four key elements:

> **Analysis**: an intelligence-led response to terrorism driven by a properly connected and properly informed national security community.
>
> **Protection**: taking all necessary and practical action to protect Australia and Australians from terrorism at home and abroad.
>
> **Response**: providing an immediate and targeted response to specific terrorist threats and terrorist attacks should they occur.

Resilience: building a strong and resilient Australian community to resist the development of any form of violent extremism and terrorism on the home front.

Additional counter-terrorism measures set out in the White Paper included:

- The establishment of a Counter-Terrorism Control Centre to increase coordination across government agencies;
- New investment of $69 million over four years to introduce biometric checks for visa applicants in around 10 countries;
- Strengthened aviation security measures;
- A strategy to counter violent extremism in Australia.

Measures to build the capacity of States to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

6. Australia recognizes that containing and reducing the threat of terrorism requires effective international and regional cooperation.

7. Australia has signed memorandums of understanding on counter-terrorism with 15 countries, including Indonesia, the Philippines, Malaysia, Cambodia, Thailand, Brunei Darussalam, Fiji, Papua New Guinea, Timor-Leste, India, Pakistan, Afghanistan, Turkey, Bangladesh and the United Arab Emirates. These memorandums provide frameworks to develop a sense of common purpose, to share information and to set up practical counter-terrorism activities.

8. Since 2002, the Australian Government has allocated more than $490 million to provide a wide range of counter-terrorism assistance. The main areas of Australia's engagement have been in the fields of law enforcement, intelligence sharing, border and transport security, diplomacy, defence cooperation, countering terrorist financing, legal capacity-building, and countering the threat of chemical, biological, radiological and nuclear terrorism.

9. The Jakarta Centre for Law Enforcement Cooperation is a successful example of Australia's cooperation with a regional counterpart to enhance regional law enforcement capabilities, share information and develop personal and institutional networks between contributing agencies. The Centre, jointly developed by Australia and Indonesia, has trained approximately 5,000 regional law enforcement personnel through over 200 programmes.

10. Australia actively supports and regularly participates in United Nations counter-terrorism initiatives, including sponsoring the regional workshops of the United Nations Counter-Terrorism Executive Directorate. Australia is also an active participant in other regional and multilateral bodies working to build counter-terrorism capability, including the Group of Eight (G-8) Counter-Terrorism Action Group, the Asia-Pacific Economic Cooperation Counter-Terror Task Force, the Asia-Europe Meeting Committee on Counter-Terrorism and the Global Initiative to Combat Nuclear Terrorism.

Measures to address conditions conducive to the spread of terrorism

11. Australia is keenly aware of the importance of a strong and resilient community to counter violent extremism and terrorism. Australia has committed to

building such a community domestically, including reinforcing values based on tolerance, non-violence and respect for human dignity, diversity and pluralism.

12. Cognizant that an effective counter-terrorism strategy requires a combination of security and law enforcement responses, as well as broader strategies to enhance social cohesion and resilience that lessen the appeal of extremist ideologies that fuel terrorism, in May 2010 the Australian Government announced, a $9.7 million package of measures, including:

- Identifying and diverting people at risk of violent extremism;
- Supporting rehabilitation and deradicalization programmes conducted by State and Territory police and correctional services;
- Engaging with communities to improve social cohesion and resilience;
- Mentoring programmes for "at risk" youth in partnership with community groups;
- Examining the role of the Internet in the radicalization process;
- Ensuring evidence-based responses to violent extremist messages.

13. Australia also co-sponsors a regional interfaith dialogue alongside New Zealand, the Philippines and Indonesia. These meetings bring together representatives from the diverse faiths in our region to promote harmonious relations between our communities. Discussion at the dialogue generates action plans for ongoing regional engagement on interfaith issues, particularly in the areas of partnership-building, education and media.

Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

14. Australia considers it critical that in the effort to combat terrorism, the rights of citizens are also protected. Australia is pursuing a range of amendments to its legal framework to improve the effectiveness of Government agencies while concurrently implementing increased oversight mechanisms for the operation of Australia's counter-terrorism laws.

15. Australia's legal framework has an important dual role in helping to prevent terrorism and bringing those who perpetrate terrorism to justice. Australia's laws reflect the serious criminal nature of terrorism and act as a deterrent to persons contemplating terrorist activity by providing appropriate sanctions and enforcement mechanisms. Given the potential severity of a terrorist attack, the laws also contain certain limited powers to assist relevant agencies to prevent terrorist acts. Because of the potentially devastating consequences, the primary focus of counter-terrorism laws is on preventing a terrorist act from taking place.

16. In December 2008, the Australian Government announced its response to four key reviews of the national counter-terrorism and security legislation. Implementation of the recommendations will take place in a considered, transparent and consultative manner. A draft of legislation, released in 2009, provided an opportunity for public input prior to the proposed introduction of specific legislation in Parliament.

17. A central principle of Australia's counter-terrorism strategy is to act within legitimate legal frameworks and to respect the rule of law. Australia's national security and counter-terrorism framework, which is robust enough to adapt to future events and developments, incorporates review mechanisms to ensure that these laws remain necessary and effective.

18. Australia does not condone any unlawful response to terrorism, including the use of torture. Australia is committed to meeting its human rights obligations. Australia's national security and counter-terrorism laws are consistent with its obligations under international law. Australia is committed to the United Nations counter-terrorism conventions and protocols.

Austria

1. For Austria it is essential to ensure that the United Nations Counter-Terrorism Strategy is implemented globally and in a holistic and integrated manner. Austria therefore continues to undertake a variety of efforts to contribute to the implementation of the Strategy. In October 2009, Austria co-sponsored, together with Switzerland, and in cooperation with Costa Rica, Japan, Slovakia and Turkey, an international workshop of national counter-terrorism focal points in Vienna. The aim of the workshop was to address the question of how to better link global counter-terrorism efforts through providing national counter-terrorism experts the possibility for an exchange of experience, which was one of the concerns raised by Member States at the General Assembly review of the United Nations Global Counter-Terrorism Strategy in September 2008. This workshop was the first of its kind and was met with great interest from 150 participants.

2. Austria considers integrated implementation of the Strategy crucial for its success. Therefore, in 2009, Austria contributed 70,000 euros (€) to the United Nations Counter-Terrorism Implementation Task Force Working Group on Integrated Assistance for Countering Terrorism for the establishment of its database. Austria is also financing a junior professional officer working on the Task Force team, being responsible, inter alia, for the database.

3. As explicitly recognized in the Strategy, "capacity-building in all States is a core element of the global counter-terrorism effort". Austria strongly supports the development of State capacity to implement the Strategy through technical assistance provided by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime. Austria is one of the largest voluntary contributors to the Branch and has supported it since its establishment with voluntary contributions amounting to 2,358,452.00 United States dollars ($).

4. Austria remains firmly committed to strengthening the legal framework to combat international terrorism. In May 2010, Austria concluded the domestic process of ratification of the 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, thereby concluding the ratification and implementation of all 16 universal counter-terrorism conventions and protocols, as well as all relevant Security Council resolutions.

5. In addition, Austria contributes to the implementation of the Strategy by addressing the conditions conducive to the spread of terrorism, in particular by promoting the rule of law, human rights and preventing radicalization and extremism. Both at the national level and in its bilateral development cooperation, Austria promotes human rights education, education in peacebuilding and fostering tolerance as bulwark against radicalization and extremism. More than one third of Austrian Development Cooperation programmes and projects are designed to support democracy and human rights in order to enable people to actively participate in policymaking.

6. Austria has a long tradition of dialogue initiatives between cultures and religions. Activities focus, in particular, on the promotion of human rights and fundamental freedoms, as well as on social, cultural and religious pluralism and successful management of diversity. Fostering equal rights and opportunities for women and promoting their role and leadership in interreligious and intercultural dialogue are among the priority objectives of Austria's engagement in this field. These projects aim at preventing radicalization and recruitment as well as building capacity in the field of administration, security and civil society.

7. Austria initiated and organized several conferences, workshops and meetings devoted to promote trust and understanding between communities and cultures, such as a ministerial high-level meeting, "Europe and the Arab World — Connecting Partners in Dialogue", in December 2008, in cooperation with Member States of the European Union, Members of the League of Arab States and Turkey. This meeting was followed up through a project on "Women and dialogue, empowerment and consolidation". The international conference "Identity and participation: cross cultural and Muslim youth in Europe", a joint initiative with the Alliance of Civilizations that took place in Vienna in 2009, aimed at fostering the comprehensive understanding of political dialogue and supporting the participation of youth in Europe. In May 2010, Austria supported the third conference of European Imams and religious advisers. A workshop on "Promoting female leadership in intercultural and interreligious dialogue" in June 2010 further strengthened the exchange of views between women who are active in promoting women's rights. In November 2010, Austria will launch the first Arab-European Young Leaders Forum, which will bring together emerging leaders from politics, civil society, business and the environmental sector from Europe, Turkey and the Arab world in order to discuss and seek ways to implement responsible leadership.

Bolivarian Republic of Venezuela

1. The Bolivarian Republic of Venezuela rejects acts of terrorism in all their forms and manifestations, whatever their motives. In this sense, our country is convinced that the fight against terrorism must be conducted within the framework of international cooperation under existing international and regional instruments on the subject and the rules of public international law, human rights and international humanitarian law.

2. Venezuela has been rigorously fulfilling its commitments and obligations resulting from its status as a State Party to several international legal instruments in the field of combating terrorism, as well as other policy instruments such as resolutions of the General Assembly and the Security Council.

3. In this regard, Venezuela has joined the following legal instruments in the fight against international terrorism in all its manifestations:

(a) Convention on Offences and Certain Other Acts Committed on Board an Aircraft ("Tokyo Convention") — aviation security;

(b) Convention for the Suppression of Unlawful Seizure of Aircraft ("Hague Convention") — aircraft hijacking;

(c) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation ("Montreal Convention") — aviation sabotage, including bombings aboard aircraft in flight;

(d) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons (including diplomatic agents, attacks on senior government officials and diplomats);

(e) International Convention against the Taking of Hostages ("Hostages Convention");

(f) International Convention for the Suppression of Terrorist Bombings;

(g) International Convention for the Suppression of the Financing of Terrorism.

4. Similarly, in the southern hemisphere, Venezuela is party to the Convention of the Organization of American States for the prevention and suppression of acts of terrorism defined as crimes against persons and acts related to extortion that are of international scope, and the Inter-American Convention against Terrorism.

5. In the framework of international efforts to prevent the acquisition of weapons of mass destruction by terrorist groups, in line with Security Council resolution 1540 (2004), Venezuela, in its capacity as a party to the Convention on the Prohibition of Chemical Weapons, has developed, in accordance with its obligations under this legal instrument, a bill to facilitate the implementation of this instrument which will soon be submitted by the President of the Republic to the National Assembly for discussion and approval.

6. In relation to the Convention on the Prohibition of Biological Weapons, agency consultations have been made for the purpose of forming a coordinating body to develop policies to strengthen the activities of the national Government in implementing the Convention. Additionally, the Ministry of People's Power for Science, Technology and Industry has drafted the Bioethics and Biosafety Code, which establishes the guiding principles for the conduct of researchers and scientists to develop work in this field.

7. The Bolivarian Government is also considering, among other legal instruments, the International Convention for the Suppression of Acts of Nuclear Terrorism, in accordance with its domestic legal system, with a view to possible membership. We share the spirit and intent of this agreement, which is part of the international efforts aimed at strengthening the legal regime in this area.

8. In addition, in 2008, a multidisciplinary team, comprising Venezuelan ministries and institutions and officials of the International Atomic Energy Agency (IAEA), developed the "Comprehensive national security plan of the Bolivarian Republic of Venezuela" on measures to be applied in our country in terms of nuclear

safety, physical nuclear safety, radiation and waste management. The Venezuelan Government is evaluating early accession to the relevant international legal instruments, such as the Convention on the Physical Protection of Nuclear Material, the Code of Practice on the International Transboundary Movement of Radioactive Waste and the Convention on Nuclear Safety. It is noteworthy that the law approving the Convention on Early Notification of a Nuclear Accident has already been enacted (awaiting our legal deposit before IAEA).

9. In another vein, it is noteworthy that the National Assembly is examining the draft law on firearms and explosives, which will replace the current legislation on the subject passed in 1939. It is hoped that the law will be adopted soon.

10. As for the comprehensive international standards embodied in the "Forty Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing" of the Financial Action Task Force, since 1997 Venezuela has been part of the Group of the Caribbean Financial Action Task Force. Composed of 30 States of the Caribbean, the Group has agreed to implement joint measures to address the problem of money-laundering.

11. Finally, in line with the provisions of the annex to General Assembly resolution 60/288, the Government of the Bolivarian Republic of Venezuela reiterates the request for extradition of the notorious terrorist Luis Posada Carriles, at large since 19 April 2007, filed before the United States Government, for his direct responsibility in planning the bombing of the Cubana de Aviación aircraft in the October 1976 terrorist attack which killed 73 Cubans, most of them athletes, who had participated in a competition in Venezuela.

Burkina Faso

1. Burkina Faso has made the issue of peace and security a cornerstone of its foreign policy.

2. Burkina Faso prohibits the use of force or any other means of coercion for the resolution of disputes and has established mediation as the procedure for finding effective and lasting solutions.

3. Aware of the threats to peace and collective security posed by terrorism, Burkina Faso has joined the international community in its efforts to stem the phenomenon.

4. In the political and diplomatic sphere, Burkina Faso has always strongly condemned any act of terrorism.

5. To demonstrate its commitment to the fight against terrorism, Burkina Faso has ratified 12 of the 13 United Nations counter-terrorism instruments as well as several other subregional, regional and transregional instruments on combating terrorism.

6. Burkina Faso has adopted three major pieces of national legislation relating to the suppression of terrorism, the fight against the financing of terrorism and the fight against money-laundering. These three laws strengthen the fight against terrorism in the legal sphere.

7. Within the framework of international cooperation, Burkina Faso maintains good relations with the United Nations, including the Counter-Terrorism Implementation Task Force, the Counter-Terrorism Committee and the United Nations Office on Drugs and Crime (UNODC). In February 2009, a mission of the Counter-Terrorism Committee Executive Directorate visited Burkina Faso to assess its national capacities to combat terrorism.

8. The visit by the United Nations team facilitated the assessment of the national mechanism and the identification of the specific needs of Burkina Faso in the fight against terrorism. Capacity-building, including through the procurement of adequate equipment, is the country's main concern.

9. It should also be noted that in May 2010, as part of regional efforts to strengthen the fight against terrorism, Burkina Faso hosted "Operation Flintlock", aimed at improving the operational capabilities of Sahelo-Saharan countries to combat terrorism with the support of partners in Europe and the United States of America.

10. In hosting Operation Flintlock, Burkina Faso has joined the effort to ensure the security of the Sahelo-Saharan countries. To that end, several initiatives are under way, including a forthcoming subregional conference.

Canada

I. Introduction

1. The adoption of the United Nations Global Counter-Terrorism Strategy in 2006 marked an important step by asserting the engagement of the Organization in combating terrorism. The adoption of the Strategy by consensus also demonstrated that the General Assembly can take decisive action to confront this international challenge.

2. The review of the Strategy provides Member States with an opportunity to reaffirm our joint commitment to the Strategy, and to enhance its implementation worldwide. While the Strategy itself is an expression of our collective concern and commitment, responsibility for its implementation lies primarily with Member States. Since 2006, Canada has made significant efforts to implement the Global Counter-Terrorism Strategy both domestically and internationally.

II. Measures to address the conditions conducive to the spread of terrorism

3. Canada is very concerned with countering violent extremism and radicalization leading to violence, both within and beyond its borders. It is a committed member of the United Nations Alliance of Civilizations Group of Friends, which aims to improve understanding and cooperative relations among nations and peoples across cultures and religions and to help counter the forces that fuel polarization and extremism.

4. Internationally, Canada makes positive contributions to address the socio-economic factors that contribute to the spread of terrorism and violent extremism through the development work of the Canadian International Development Agency.

Canada focuses its aid money on two complementary foreign policy themes: promoting democracy; and ensuring security and stability.

5. Democracy is an essential component of development, and democratic values are fundamental to Canadians, who are worried about the number of failed and failing democracies in the world. Ensuring security and stability is of the utmost importance. Canada's response is built upon its engagement and lessons learned in countries like Afghanistan, Haiti and the Sudan.

6. Canada has increased its investments in sectors and initiatives directly related to the plans of developing countries for attaining the Millennium Development Goals. In particular, Canada has made visible and lasting contributions in the areas of child health and education and in addressing hunger through food aid and support for agricultural development.

7. Domestically, Canada is committed to addressing national security and public safety issues such as terrorism and hate crimes in collaboration with concerned communities across the country. Security and intelligence agencies, law enforcement and other Government departments are committed to engaging and working with communities and families. These efforts help to develop an improved understanding of issues such as hate crimes and extremism in order to more effectively prevent terrorism and promote social cohesion.

8. A key component of the Government's citizen engagement initiative is the Cross-Cultural Roundtable on Security, which was created to engage the Government and Canadian communities in a long-term dialogue on matters related to national security as they impact a diverse and pluralistic society. In addition to the Cross-Cultural Roundtable on Security, the Royal Canadian Mounted Police and the Canadian Security Intelligence Service also meet with community groups with the aim of fostering trust and understanding.

III. Measures to prevent and combat terrorism

9. Canada believes that terrorism is a long-term global challenge. It demands a consistent, comprehensive and coordinated international response based on agreed common goals, norms, standards, values and institutions. Canada participates actively in the global fight against terrorism. Counter-terrorism has a military component, but this cannot solely define international efforts. The multi-pronged fight against terrorism must include diplomacy, intelligence, security and law enforcement, customs and immigration, transportation, justice and finance expertise. All these branches of Government must work together to identify and arrest terrorists, as well as to prevent attacks.

10. Canada also recognizes that in order to prevent terrorism, communities must be resilient to violent extremism. Canada has been working with community and religious leaders in Pakistan to promote dialogue and respect for non-violence, interfaith understanding and the rights of non-Muslims and women.

11. Because counter-terrorism requires effective international cooperation and coordination, Canada works to develop legal instruments, best practices and international standards to combat terrorism in international, regional and functional forums. These include the United Nations, the Group of Eight (G-8), the Asia-Pacific Economic Cooperation regional forum, the Organization of American States

(OAS), the ASEAN regional forum, the North Atlantic Treaty Organization (NATO), the Organization for Security and Cooperation in Europe (OSCE), the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO) and the World Customs Organization (WCO). Canada has ratified the 13 United Nations-sponsored terrorism-related international conventions and protocols that address such specific terrorist acts as hostage taking, hijacking, terrorist bombings and terrorist financing.

12. As technology improves and integrates trading and financial systems, the ability of terrorists to collect and move funds between jurisdictions complicates the tasks of tracing and confiscating their assets. The Criminal Code, the United Nations Afghanistan Regulations and the United Nations Suppression of Terrorism Regulations all provide the means by which Canada can identify terrorist entities (organizations and individuals) and freeze their assets in Canada.

13. When entities (organizations and individuals) are designated by Canada under the terrorism regulations or the Afghanistan regulations, the Government freezes their assets and prohibits fund-raising on their behalf. Both measures automatically include the United Nations 1267 (1999) Sanctions Committee list. Canadian legislation in this regard, under the responsibility of the Minister for Foreign Affairs, lists more than 500 entities associated with terrorist activities. The Canadian Criminal Code (Anti-Terrorism Act, 2001) also addresses the financing of terrorism and has a listing scheme.

14. Canada is an active member of the Financial Action Task Force, an intergovernmental body that develops and promotes national and international policies to combat money-laundering and terrorist financing.

IV. Measures to build State capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

15. Canada's security is inextricably linked to that of other States. When States lack resources or expertise to prevent and respond to terrorist activity, the security of Canadians and of Canadian interests at home and abroad is at risk. Counter-terrorism capacity-building assists States with training, funding and equipment, as well as with technical and legal assistance, so that they can prevent and respond to terrorist activity in compliance with international counter-terrorism and human rights norms, standards and obligations.

16. Emphasizing the primary role of Member States, the third pillar of the Strategy's plan of action focuses on the need for effective capacity-building to develop State capacity to prevent and combat terrorism. Since 2005, Canada has demonstrated this commitment through its counter-terrorism capacity-building programme, which provides $13 million Canadian dollars annually to address needs for training, equipment, technical, legal and other security assistance and expertise to respond to terrorist activity, in full compliance with the rule of law, including taking due account of human rights. This assistance contributes to improved security in recipient countries and the safety of Canadians. An additional $6.1 million Canadian dollars will be used to build the capacity of the Government of Afghanistan (2009-2011). This programming focuses on law enforcement, military and intelligence training and technical assistance to modernize the capacity of local

law enforcement and national security authorities in planning, managing and maintaining counter-terrorism initiatives.

17. Demand for counter-terrorism capacity-building has grown considerably since the inception of the programme. This indicates that Canada is meeting a significant need. As of June 2010, the programme has provided funding for over 300 separate initiatives implemented around the world, involving more than 2,000 Canadians sharing their expertise with over 10,000 participants from beneficiary States.

18. In its capacity as Chair of the G-8 Senior Experts' Group on Transnational Organized Crime and Terrorism (the Roma/Lyon Group) and the Counter-Terrorism Action Group, Canada has played a proactive role in promoting dialogue and transparency in counter-terrorism information-sharing and capacity-building. Canada hosted two general meetings of the Senior Experts' Group and the Action Group in 2010, as well as coordinating several regional meetings of the Action Group, which provide a valuable opportunity for officials on the ground to engage in dedicated counter-terrorism discussions and to identify fruitful areas for collective and coordinated action. Canada is committed to ensuring that the Action Group provides the necessary support to the United Nations Counter-Terrorism Committee Executive Directorate by working closely with the Directorate during and between meetings. Canada has also garnered unanimous support within the Action Group for a series of reforms designed to focus the work of the Group on priority areas and to encourage more active information-sharing among its members.

19. Outside the G-8, Canada is also enhancing both formal and informal information-sharing and cooperation with multilateral institutions on the coordination of assistance on counter-terrorism measures among international donors, including the Counter-Terrorism Committee Executive Directorate, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC), the Committee on Counter-Terrorism of the Organization of American States (OAS) and the Asia-Pacific Economic Cooperation regional forum.

20. In addition, Canada's contributions to UNODC have enhanced that organization's efforts to encourage ratification and implementation of the universal instruments against terrorism and to combat the financing of terrorism. Canada is also working closely with the Counter-Terrorism Committee Executive Directorate to improve its capacity-building assistance throughout the world. Canada is encouraged by the new strategic vision and leadership of the Executive Directorate.

V. Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

21. Respect for human rights and the rule of law must be at the centre of both international and national efforts to fight terrorism. Ensuring that this is the case remains a priority for Canada. Canada is a signatory to all six major international human rights conventions. Canadian national security laws are shaped by the dual goals of effectively combating terrorist activity and protecting human rights. A number of legislative safeguards are built into existing legislation, and all government legislation and action is subject to constitutional scrutiny under the Canadian Charter of Rights and Freedoms. For example, Canada's Criminal Code incorporates judicial review and appeals into provisions such as the Code's terrorist listing process and the seizure, restraint and forfeiture of terrorist property.

22. Civil society has an important role to play in this area, and Canada has enacted a number of measures to engage civil society in a substantive dialogue on counter-terrorism issues. Canada actively encourages its civil society organizations to participate in dialogue sponsored by the multilateral and bilateral organizations of which Canada is a member.

23. Canada has encouraged the Committee established pursuant to Security Council resolution 1267 (1999) to continue its work to strengthen the effectiveness of its sanctions regime against Al-Qaida and the Taliban and associated individuals and entities. Canada's priority is to ensure that fair and transparent procedures exist for adding and removing individuals and entities to and from its list and for granting humanitarian exceptions. Canada supported the adoption of Security Council resolution 1904 (2009), which introduced further due process provisions into the Committee's procedures to provide better protection of human rights.

VI. Recommendations for the way forward

24. In addition to national efforts, entities within the United Nations system must also enhance their efforts to implement the Strategy. The Counter-Terrorism Implementation Task Force has an important role to play in this regard. Canada supports the role of the Task Force in coordinating the contributions of the entities of the United Nations system to Strategy implementation.

25. We applaud the important work that the Task Force has done to date, and the proactive manner in which representatives of various United Nations entities have approached their task. Canada does, however, see room for greater interaction between the Task Force and its working groups and the Member States. Canada is interested in working with the Task Force to enhance this interaction in the future.

26. Canada intends to continue to do its part to implement the Strategy over the next two years and beyond. It will continue to enhance its domestic framework to fight terrorism while respecting human rights; it will maintain its efforts at the regional level through continued engagement with regional organizations; and it will enhance its multilateral efforts through better cooperation with the Executive Directorate, UNODC and the Task Force.

Cuba

1. Cuba attaches great importance to the implementation of the United Nations Global Counter-Terrorism Strategy in a comprehensive manner and in all its aspects. Cuba makes every possible effort to that end. In this regard, it wishes to point out the following:

(a) Cuba adopted a wide range of effective measures, including legislative measures, before and after the adoption of the Strategy by the General Assembly, with the purpose of preventing and suppressing all acts of terrorism or acts related to terrorist acts, including those associated with financing terrorism. The measures also cover: the protection and surveillance of borders; the fight against illicit arms trafficking; judicial cooperation; adherence to international legal instruments on the prevention and suppression of international terrorism; and the adoption of new counter-terrorism legislation. All these actions derive from the obligations

undertaken by Cuba by its ratification or adherence to all international conventions on the matter, as well as from the permanent Cuban commitment to the fight against terrorism;

(b) Cuba has ratified or acceded to the 13 existing international conventions relating to terrorism;

(c) On 20 December 2001, the National Assembly of the People's Power of the Republic of Cuba adopted Law 93 against acts of terrorism, which in addition to categorizing acts of international terrorism, includes all individuals linked to terrorism who have been sanctioned, including the magnitude of the sanctions, in accordance with the seriousness of the crimes;

(d) Legislative measures in Cuba ensure the prosecution of any person taking part in or supporting the perpetration of terrorist acts. All acts of terrorism are categorized as serious crimes in national legislation, with very severe sentences according to the seriousness of the crime;

(e) Since 1997, with the coming into effect of resolution 91/97 of the Minister-President of the Central Bank of Cuba, the Cuban banking and financial system has been implementing systematic measures to prevent and detect movement of illicit capital; these measures are constantly being improved;

(f) Border controls in Cuba are efficient and based on specialized know-how in the fight against terrorism. The experience acquired by Cuba in its more than 50 years fighting this scourge has enabled it to thwart many of these acts through the implementation of tight controls at its borders. These controls were strengthened after the adoption of Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004) and are subject to constant scrutiny by the relevant authorities;

(g) Cuba is always willing to cooperate from the legal point of view with all Member States to develop an international cooperation mechanism, either United Nations-centered or through relevant bilateral agreements, enabling concerted action for the eradication of terrorism. Cuba has signed 35 agreements on legal assistance, 21 on the execution of legal sentences and 8 on extradition;

(h) Cuba has an effective, predictable and reliable system for the nationwide implementation of its international obligations as State party to the Biological Weapons Convention, the Chemical Weapons Convention, the Non-Proliferation Treaty and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco); and as a member of the Organization for the Prohibition of Chemical Weapons, of the International Atomic Energy Agency (IAEA), and the Agency for the Prohibition of Nuclear Weapons in Latin America;

(i) Cuba strictly complies with the obligations emanating from Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004), adopted under Chapter VII of the Charter of the United Nations;

(j) Cuba has submitted, within the time frame established by the above resolutions, the information requested on the measures taken for their implementation, according to the international law. The reports by Cuba may be consulted in the relevant web pages of the Committees created under Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004);

(k) Pursuant to Security Council resolution 1267 (1999), the Ministry of Interior, the Cuban consulates and other relevant authorities are systematically informed of the updating of the consolidated list established by the Security Council Committee created under resolution 1267 (1999), also known as the Al-Qaida and the Taliban Sanctions Committee;

(l) Cuba has actively engaged, by making presentations and exchanging national experiences, in the different international, regional and subregional seminars convened on this matter by different bodies of the United Nations system.

Cyprus

1. To date, Cyprus has ratified or acceded to several international conventions and protocols, embodied in the domestic legal order, regarding terrorism.

2. In addition, all United Nations Security Council resolutions regarding terrorism have been adopted and fully implemented, including the call for joint action and measures to be taken by each member State of the international community in the common endeavour against international terrorism and the freezing of potential assets/accounts of any person/entity associated with Osama Bin Laden and Al Qaida.

3. The Central Intelligence Service of Cyprus, in accordance with the relevant provisions of Cypriot and international law, undertakes measures to prevent and combat terrorism. Among the principal responsibilities are the collection, evaluation and utilization of intelligence that relates to the preparation or organization of any terrorist acts intended to be committed against any State and/or its citizens.

4. In this regard, the Central Intelligence Service of Cyprus has strengthened cooperation and coordination with other authorities in the Republic, as well as with intelligence services around the world, in order to exchange timely and accurate information concerning any kind of crimes that might be connected with terrorism.

5. The National Police is continuously fighting terrorism by all means. Due to the demands that followed both on the national and international level, after the events of 11 September 2001, the Counter-Terrorism Office was established. It operates under the Criminal Investigation Department of the Cyprus Police Headquarters.

6. The Counter-Terrorism Office deals with the analysis, evaluation and utilization of intelligence, the enforcement of measures on combating terrorism deriving from international conventions, United Nations Security Council resolutions, common positions and other primary or subsidiary legislation of the European Union on combating terrorism and on the application of specific measures to combat terrorism.

7. The Counter-Terrorism Office registers on the national database ("stop-list") the details of people that are sanctioned for terrorist activities by United Nations Security Council resolutions or by the subsidiary legislation of the European Union.

8. The Ministry of Commerce, Industry and Tourism, in cooperation with other competent authorities, strictly implements legislation for the control of exports of dual-use items, chemicals and weapons within the framework of European Council Regulation 428/2009 and the legislation of other international organizations.

Germany

1. Germany supports the effective implementation of the Global Strategy, under the auspices of the United Nations, as a unique counter-terrorism instrument ensuring both security and freedom.

2. Adhering to the guidelines, Germany is conducting counter-terrorism measures within the framework of the Global Strategy. Measures taken since the last review are detailed below.

3. Given the transnational nature of the terrorist threat, Germany favours the establishment of regional counter-terrorism centres. Having supported the Jakarta Centre for Law Enforcement Cooperation since its foundation, assistance is now being rendered to the African Centre for the Study and Research on Terrorism and plans to build up a regional counter-terrorism centre for South Asia in Dhaka are regarded favourably.

4. Germany is financing and partially organizing a series of workshops on the misuse of the Internet by terrorists, which is being carried out under the auspices of the United Nations Counter-Terrorism Implementation Task Force. The workshops address legal and technical aspects as well as the counter narratives issue.

5. Germany is working together with a number of like-minded States which engage in strengthening due process procedures in the United Nations targeted-sanctions regime to counter-terrorism, helping to make this essential tool even more viable. Security Council resolution 1904 (2009) is seen as an important step in this regard.

6. Within the framework of G-8, Germany welcomes ongoing efforts to focus on priorities in counter-terrorism capacity-building, both in topical as well as in geographical terms.

7. The German Islam Conference, established in 2006 as the main forum for dialogue between Government authorities and the Muslim community, is entering its second phase in mid-May. Having agreed on a conceptual framework, the emphasis now is on communal outreach. Promoting dialogue between religions is clearly contributing to enhanced respect and tolerance among all parties involved.

Indonesia

Measures taken at the multilateral level

1. For the specific purpose of implementing United Nations Security Council resolutions 1267 (1999) (consolidated list) and 1373 (2001), Indonesia has a mechanism in place that involves all relevant domestic agencies. In that context, in order to establish better coordination and monitoring, Indonesia also established ad hoc, permanent working groups and regular meetings, including the Working Group on Preventing and Combating Money-Laundering and the Financing of Terrorism (coordinated by Financial Intelligence Unit/Indonesia Financial Transaction Reports Analysis Centre (INTRAC)) and the working group coordinated by the Ministry of Foreign Affairs, which conducts a comprehensive review of the consolidated list established by Security Council resolution 1267 (1999).

2. Indonesia has ratified seven of the universal counter-terrorism instruments.

3. Indonesia has signed the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1988). Indonesia is in the process of ratifying the 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection. Indonesia considers the importance of becoming party to the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and 1979 International Convention against the Taking of Hostages.

4. In promoting the ratification and implementation of the international instruments related to combating terrorism, Indonesia cooperates with the Terrorism Prevention Branch of UNODC and the Counter-Terrorism Committee Executive Directorate. Indonesia and UNODC organized events for strengthening capacity-building in counter-terrorism activities, for example the Workshop on the legal implementation of the universal framework against terrorism, held in September 2007, and the Judicial workshop on international counter-terrorism instruments, held in November 2008. In an effort to support Indonesia in improving its legislation on terrorist financing, the Terrorism Prevention Branch recently held a workshop on international perspectives and domestic implementation of legal measures on the financing of terrorism in Bogor, Indonesia, on 25 and 26 February 2010.

5. Indonesia is fully committed to supporting the implementation of the United Nations Global Counter-Terrorism Strategy, especially its four pillars, in order to have a holistic framework and coordinated plan of actions on countering terrorism involving all stakeholders, namely States, international organizations, civil society and the private sector. Indonesia and the United Nations organized a workshop on raising awareness of the United Nations Global Counter-Terrorism Strategy among civil society in South-East Asia, in Jakarta, on 18 and 19 November 2009.

A. Measures taken at the regional level

6. At the regional level, Indonesia has participated and played a role in several important initiatives to enhance regional cooperation and coordination on the issue of terrorism. Indonesia has developed cooperation on counter-terrorism through, inter alia, the Association of Southeast Asian Nations (ASEAN), the ASEAN Regional Forum, the Asia-Europe Meeting, the Asia-Pacific Economic Forum, the Bali Regional Ministerial Meeting on Counter-Terrorism and the Asia-Middle East Dialogue, including close cooperation on preventing and combating terrorist financing, increased cooperation in investigations and the sharing of information among law enforcement authorities, intelligence and further exchanges of ideas on tightening border controls, capacity-building and inter-faith dialogue.

Association of Southeast Asian Nations

7. Through ASEAN and its initiatives, Indonesia is engaged in efforts to combat terrorism with other ASEAN countries. Indonesia has ratified the ASEAN Mutual Legal Assistance on Criminal Matters Treaty, through Law No. 15 (2008). This instrument allows legal cooperation on countering terrorism and terrorist financing.

8. The ASEAN Ministers Meeting on Transnational Crime/Senior Officials Meeting on Transnational Crime is covering the issue of counter-terrorism and its financing. Indonesia has been appointed to lead the discussion of the work

programme to implement the terrorism component of the ASEAN Plan of Action to Combat Transnational Crime (2010-2012). At the last meeting of Senior Officials, held in Bali on 24 and 25 February 2010, legal matters, law enforcement matters, training, institutional capacity-building, exchange of information and extraregional cooperation were discussed.

9. In addition, Indonesia signed the ASEAN Committee to Combat Terrorism in Cebu, the Philippines, on 13 January 2007, and is in the process of ratifying it. In that context, Indonesia has conducted two activities among ASEAN member States, namely the ASEAN "Workshop on forging cooperation among the anti-terror units", held in Jakarta on 23 and 24 January 2008, and the "Meeting on the sharing of best practices on cooperation among law enforcement officials and prosecutors in the field of counter-terrorism" at the "Workshop, training and working group meeting on facilitating the entry into force and implementation of the ASEAN Convention on Counter-Terrorism", held in Jakarta from 3 to 5 June 2008.

ASEAN Regional Forum

10. Through the ASEAN Regional Forum, Indonesia, as a member State, has encouraged the regional commitment to enhance cooperation on issues of mutual interest and common concern such as combating terrorism and other transnational crimes. Indonesia has been an active participant in the intersessional meeting on counter-terrorism and transnational crime. The meeting continues to work to forge a more strengthened cooperation in fighting against terrorism and transnational crime. The meeting has had 8 sessions to discuss issues such as border security, transport security, information/intelligence sharing, documents integrity and security. Indonesia has been supportive of the efforts of the Regional Forum to counter terrorism and supports the development of the Forum's workplan on counter-terrorism, which was endorsed during the Forum's sixteenth session. The workplan has three priority areas: illicit drugs; bioterrorism and bio-security; and cyber-terrorism.

11. Indonesia and India co-chaired the sixth intersessional meeting of the Regional Forum on counter-terrorism and transnational crime, held in Semarang, Indonesia, on 21 and 22 February 2008. The theme of the meeting was "Social participation on counter-terrorism and transnational crime". The meeting identified the background, motive and reasons of terrorism and transnational crime, and provided an opportunity for the sharing of information and experience, including the promotion of social participation in dealing with transnational crime and terrorism. The meeting also identified ways to strengthen cooperation among countries and international institutions in the Asia-Pacific region in countering terrorism and transnational crime.

Asia-Pacific Economic Cooperation

12. Indonesia considers it important that APEC focus its activities on cooperation on capacity-building. Under the APEC forum, Indonesia shows its commitment to strengthen cooperation on the issue of counter-terrorism with other economies.

13. Indonesia, as one of the APEC economies, reports on the APEC Counter-Terrorism Action Plan every year and identifies capacity-building needs. The APEC seminar on securing remittance and cross-border payment from terrorist use was held in Jakarta on 22 and 23 October 2008.

Bali Regional Ministerial Meeting on Counter-Terrorism

14. The Bali Regional Ministerial Meeting on Counter-Terrorism was co-hosted by Indonesia and Australia in Bali in February 2004. The meeting agreed on several important recommendations, including strengthening legal frameworks, cooperation among law enforcement agencies, strengthening capacity of law enforcement agencies in countering terrorism, adhering to international convention related to terrorism, combating financing of terrorism and increasing border security. To strengthen cooperation under the framework of the meeting, Indonesia and Australia held a subregional ministerial conference on counter-terrorism in Jakarta on 5 and 6 March 2007. The meeting, attended by Australia, Indonesia, Malaysia, the Philippines, Thailand and Singapore (most affected countries), agreed to increase cooperation in the field of law enforcement, legal framework, countering extremism and radicalization, the prevention of illicit trafficking of arms and mass casualty emergency response. In follow-up to the meeting, Indonesia and Australia took initiatives of holding four workshops: (a) a subregional workshop on the misuse of the Internet by terrorists; (b) a subregional expert meeting on international crime cooperation; (c) a subregional workshop on the implementation of international counter-terrorism instruments; and (d) a subregional workshop on the prevention of cross-border movement of terrorists.

Asia-Pacific Group on money-laundering

15. Indonesia has been a member of the Asia-Pacific Group on money-laundering since August 1999. Along with Australia, Indonesia was chosen as the Co-Chair of the Group for the period of 2006-2008 at the Group's annual meeting in Manila, in July 2006. Subsequently, Indonesia hosted the Group's typologies workshop in Jakarta in November 2006 and the Group's annual meeting in Bali in July 2008.

16. As a member of the Asia-Pacific Group, Indonesia is committed to the implementation of the "Forty Recommendations" of the Financial Action Task Force and has adopted measures in this regard at the national level.

Asia-Europe Meeting

17. Indonesia strengthens its cooperation to combat terrorism through the cooperation forum provided by the Asia-Europe Meeting (ASEM). The participation and engagement of Indonesia in the forum has strengthened cooperation on important issues on its agenda, especially intercultural and inter-faith dialogue.

18. Spain and Indonesia co-hosted the sixth ASEM Counter-Terrorism Conference in Madrid on 3 and 4 April 2008. The conference was a follow-up to the previous ASEM conferences on counter-terrorism held in Beijing (2003), Berlin (2004), Semarang, Indonesia (2005), Copenhagen (2006) and Tokyo (2007). The meeting was part of continuing efforts to strengthen cooperation between Asian and European States through discussion and the exchange of experiences on the subject and by engaging a dialogue among the relevant political authorities and experts on counter-terrorism. The Conference strongly rejected the association of terrorism with any religion, race, nationality or ethnic group.

19. The Conference focused on the implementation and contribution to the development of the United Nations Global Counter-Terrorism Strategy by ASEM partners and the participating international organizations.

20. Indonesia participated in the sixth ASEM inter-faith dialogue held in Madrid from 7 to 9 April 2010, on the theme "Consolidation of religious freedom and mutual knowledge of societies through inter-religious and intercultural dialogue". Indonesia is one of the initiators of ASEM inter-faith dialogue, first held in Bali in 2005, at which the "Declaration on Building Inter-faith Harmony within the International Community" was adopted. Indonesia has proven that dialogue and the active participation of the entire community is key to creating harmony among people of different faiths and cultures.

Jakarta Centre for Law Enforcement Cooperation

21. Indonesia and Australia have been working together to strengthen capacity-building through the Jakarta Centre for Law Enforcement Cooperation. The Centre is a regional training centre for law enforcement officers which has been engaged in the fight against transnational crime with a focus on counter-terrorism. The establishment of the Centre, a strategic step in building the capacity of countries in the region to deal with terrorism, has received international acknowledgment of its contribution to the global effort to fight transnational crime, including terrorism. The Centre is responsible for a number of important developments in the field, and has expanded as a centre of excellence. Various countries have expressed interest in using the Centre as a model for the establishment of law enforcement training centres in other countries. Since its establishment in 2004, the Centre has conducted more than 200 courses and engaged more than 6,000 participants from 45 countries in the Asia-Pacific region, including ASEAN countries. The courses have focused on the area of investigation management, financial investigation, intelligence analysis, chemical biological radiological nuclear programmes, and forensic incident management. In the context of the regional cooperation, Indonesia continues to support counter-terrorism efforts of other States and entities through the Centre and continues to encourage ASEAN countries and other countries in the Asia-Pacific region to benefit from its presence and to avail themselves of its programmes. The programmes are funded by several donors, such as Australia, Canada, Germany, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Denmark and the European Union. Some of the programmes were related to counter-terrorism, including the counter-terrorism investigation course held in May 2009, the course on prosecuting transnational crime held in October 2009 and the regional counter-terrorism investigation management programme, held in November 2009.

22. Indonesia has contributed to the strengthening of capacity-building through continued cooperation between the regional centres on counter-terrorism, including the Southeast Asia Regional Centre for Counter-Terrorism in Kuala Lumpur, the International Law Enforcement Academy in Bangkok, and the Centre in Semarang, Indonesia.

Inter-faith dialogues

23. In its effort to prevent the indiscriminate targeting of different religions and cultures, Indonesia has taken the lead by hosting and participating in a number of inter-faith dialogues with other countries including:

(a) Asia-Pacific Regional Inter-faith Dialogue, which has been held several times in Yogyakarta, Indonesia, in December 2004; in Cebu, the Philippines, in

March 2006; in Waitangi, New Zealand, in 2007; in Phnom Penh in April 2008; and in Perth, Australia, in October 2009;

(b) ASEM Inter-faith Dialogue, held in Larnaca, Cyprus, in 2006; in Nanjing, China, in 2007; in Amsterdam in 2008; in Seoul in September 2009; and in Madrid, in May 2010;

(c) APEC Intercultural and Faith Symposium: Building mutual trust and acceptance for the stability and prosperity of the APEC region, held in Yogyakarta in October 2006;

(d) Asia-Europe Youth Inter-faith Dialogue, June 2008;

(e) Inter-faith Dialogue: Indonesia Forum for Students, January 2008;

(f) Asia-Pacific Inter-faith Youth Camp, Surabaya, Indonesia, 2008.

24. Indonesia has also held several International Conferences of Islamic Scholars, in Jakarta, in 2004, 2006 and 2008.

25. Indonesia took part in the Non-Aligned Movement's special ministerial meeting on Inter-faith Dialogue and Cooperation for Peace and Development in Manila in March 2010.

26. With the growing role of the media in building opinion, there is a need to have a balance between promoting tolerance and the freedom of expression. In this context, Indonesia and Norway sponsored the Global Inter-Media Dialogue (GIMD) in September 2006, and held the GIMD II in Oslo in June 2007 and GIMD III in Bali in May 2008.

B. Measures taken at the bilateral level

27. Indonesia has strengthened its bilateral cooperation with several countries and groups of countries, including the following:

(a) Indonesia and the Russian Federation signed a memorandum of understanding on cooperation in combating terrorism in September 2007, which entered into force in March 2010. A working group was established to implement the memorandum of understanding;

(b) Indonesia and Romania signed an agreement on cooperation in preventing and combating transnational organized crime, terrorism and other related crimes, on 10 July 2006;

(c) Indonesia and the United States have cooperation in combating terrorism, including cooperation between the Indonesian National Police (especially Detachment 88) and the Federal Bureau of Investigation, and the assistance of the United States Department of Justice to improve capacity through training for law enforcement officers. The Department of Justice also provides technical and training assistance for personnel as well as institutional capacity for the Attorney General's task force on terrorism and transnational crime. It also organized technical assistance and training to reform the working culture and personal capacity of the Indonesian National Police through an international criminal investigation training programme. The United States Pacific Command and Indonesian military officers interact through "Exercise Garuda Shield" in training for counter-terrorism.

Indonesia and the United States are considering increased cooperation on counter-terrorism in the future;

(d) Indonesia and India signed a memorandum of understanding on combating international terrorism in July 2004. The plan of action for the implementation of new strategic partnership, including in the area of combating terrorism, was established in June 2007. In implementing the memorandum of understanding, a meeting of the joint working group on counter-terrorism was held in New Delhi in February 2005; a second meeting is planned to be held in July 2010;

(e) Indonesia and Sri Lanka signed a memorandum of understanding on combating international terrorism in October 2007;

(f) Indonesia and Pakistan signed the memorandum of understanding on combating international terrorism in December 2003. In implementing the memorandum of understanding, the Joint Working Group on Counter-Terrorism Meeting was held in Islamabad, from 19 to 21 July 2007. The meeting agreed on several important recommendations, among others: to conduct cooperation in information/intelligence-sharing between focal point institutions (immigration, monetary and criminal justice), the importance of soft power approaches to eliminate radicalism, to enhance the exchange training for legal officers, to utilize the Jakarta Centre for Law Enforcement Cooperation in countering terrorism and cooperation in money-laundering and suspicious transactions;

(g) Indonesia and the Netherlands cooperate in capacity-building for the police officers in the field of combating terrorism. Both countries signed the memorandum of understanding between police agencies on investigation training in July 2006;

(h) Indonesia and France have in information exchanges coordinated by the Indonesian Coordination Desk for Counter-Terrorism;

(i) Indonesia and Australia continue working under their 2002 memorandum of understanding on combating international terrorism. They hold programmes in the Jakarta Centre for Law Enforcement Cooperation to increase capacity-building for law enforcement in countering transnational organized crimes and terrorism. The Governments of the United Kingdom, Australia, Canada, Germany and Denmark contribute to the financial support and expertise for the capacity-building programmes in countering terrorism held by the Centre;

(j) Denmark has co-sponsored the holding of the third ASEAM Conference on Counter-Terrorism in Semarang, Indonesia, on 14 and 15 November 2005. Indonesia participated at the working level counter-terrorism/counter-terrorism practitioner round table from relevant regional and subregional organizations, in Copenhagen in July 2006;

(k) Indonesia and Poland signed an agreement on combating transnational organized crime and other types of crimes, on 2 July 2005;

(l) Indonesia has signed five treaties of mutual legal assistance in criminal matters with: Australia (ratified by Law No. 1 1999); China (ratified by Law No. 8 Year 2006); ASEAN (ratified by Law No. 15 Year 2008); Hong Kong, China; and the Republic of Korea (both are still in the process of ratification). In addition

thereto, Indonesia is also in the process of negotiating multilateral treaties with several other countries;

(m) Indonesia has established cooperation with financial intelligence units in several countries in order to strengthen the anti-money-laundering/countering the financing of terrorism regime. As at March 2010, Indonesia had established 34 memorandums of understanding with banks in Thailand, Malaysia, the Republic of Korea, Australia, the Philippines, Romania, Italy, Belgium, Spain, Poland, Peru, China, Mexico, Canada, Myanmar, South Africa, Cayman Islands, Japan, Mauritius, Bermuda, New Zealand, Turkey, Finland, Georgia, Croatia, the Republic of Moldova, the United States, Brunei Darussalam, Bangladesh, Senegal, Sri Lanka, Macau, China, Fiji and Solomon Islands;

(n) As at March 2010, the International NGO Training and Research Centre has identified more than 300 inquiries of cooperation involving financial intelligence with other countries and territories since 2003, including: Japan; the United States; Singapore; Australia; the Cook Islands; the United Arab Emirates; Hong Kong, China; the Philippines; Switzerland; Malaysia; Belgium; Thailand; Mauritius; Lebanon; the British Virgin Islands; Taiwan; Province of China;

(o) Indonesia and the European Union signed a framework agreement on comprehensive partnership in November 2009. The agreement includes the possibility to develop cooperation in combating terrorism through capacity-building, information-sharing and policy dialogue. Indonesia and the European Union is now in the process of ratifying the PCA;

(p) Indonesia participated in the Norwegian-organized conference "Countering Violent Extremism: Learning from Deradicalization Programmes in Some-Muslim-Majority States", Amman, on 16 and 17 March 2010;

(q) Indonesia has conducted inter-faith dialogues with several countries, including:

(i) Indonesia and Australia Inter-faith Dialogue, held in Melbourne and Sydney in September 2005;

(ii) Indonesia and the Vatican Inter-faith Dialogue, held in 2005 and in 2007;

(iii) Indonesia and Canada, the Inter-faith Messages with ASEAN — Canada Dialogue on Inter-faith Initiatives, November 2008;

(iv) Indonesia and the Russian Federation Inter-faith Dialogue on the theme "Peaceful coexistence in a multireligious society: lessons learned from Indonesia and the Russian Federation", June 2009;

(v) Indonesia and the United Kingdom Inter-faith Dialogue within the scheme of their joint Islamic Advisory Group, June 2007 and February 2008;

(vi) Indonesia and Lebanon Inter-faith Dialogue, October 2008;

(vii) Indonesia and the United States Inter-faith Cooperation, January 2010: the outcome of this very first inter-faith cooperation between Indonesia and the United States is the "Shared concerns and commitments", which is expected to be a basis in initiating future cooperation between Indonesia and the United States.

C. Measures taken at the national level

National strategy

28. The current national strategy on combating terrorism, which was adopted through a ministerial decision in 2006, includes preventing and combating terrorism, increasing alertness to and preparedness for terrorist attacks, and protection of vital infrastructure from terrorist attacks. The strategy also covers operational measures that include combat, protection, prevention, dealing with the spread of radicalism, conditions conducive to the spread of terrorism, re-socialization and re-education, increasing institutional capacity, coordination and training.

Legislative measures

29. Indonesia has a wide range of legislative measures in place to counter terrorist activities. Indonesia has established the important legislative framework, namely its anti-terrorism law and anti-money-laundering law.

30. The current draft amended anti-money-laundering law will improve the deficiencies in the aspect of criminalization and the coverage of predicate offence. The law has accommodated the authority of the International NGO Training and Research Centre to conduct transactions, and to postpone/delay and freeze assets suspected to be derived from crime that is categorized as suspicious transaction. As soon as the law is enacted by Parliament, there will be guidelines regarding transaction postponement assets freezing arrangements prepared by the Indonesian Financial Transaction Reports and Analysis Center (PPATK).

31. Indonesia is currently drafting legislation on terrorist financing and there has been a wide consultative process. The draft legislation includes some important elements, including the postponement of transaction and freezing of assets, which includes transaction/assets involving persons or corporations categorized as terrorists or terrorist groups according to the list published by Governments or international organizations. It is envisaged that existing shortcomings will be addressed in the proposed draft bill on terrorist financing, and a more effective mechanism will be created by that bill in order to deal with the seizure and forfeiture of property suspected of being involved in terrorist activities. The legal mechanisms and administrative processes to trace and freeze without delay assets of entities included in Security Council resolution 1267 (1999) will also be accommodated in the bill.

32. In combating terrorism, Indonesia recognizes the importance of increasing awareness and paying more attention to victims of terrorism. In this regard, Indonesia is very supportive of the efforts of the United Nations, including through the implementation of the United Nations Global Counter-Terrorism Strategy. The existing legal instruments that relate to victims of terrorism include Law No. 13 (2006) on the protection of witnesses and victims, and Government Regulation No. 44 (2008) on compensation, restitution, assistance to witnesses and victims. Anti-terrorism law No. 15 (2003) also includes a provision on witnesses in the case of terrorism, and the conduct of this matter is further regulated in Government regulation No. 24 (2003) on procedures for the protection of witnesses, investigators, prosecutors and judges in the criminal act of terrorism. In order to prevent torture or cruel, inhuman or degrading treatment or punishment, Indonesia has also enacted several pieces of legislations that accommodate the subject of

human rights, for example law No. 39 (1999) on human rights, law No. 8 (1981) on criminal procedures, law No. 1 (1946) on the penal code and law No. 5 (1988) on the ratification of the International Convention against Torture, Cruel, Inhuman or Degrading Treatment or Punishment.

33. Indonesia is also currently drafting the amendment of its immigration law. Article 11 of the latest draft of the bill has accommodated the definition of transnational organized crimes, including terrorism, people smuggling, human trafficking, money-laundering and illegal drug trafficking. In addition, Indonesia has prioritized other bills related to counter-terrorism to be discussed by the Parliament within the national legislation programme for 2010-2014, such as: the criminal code bill and the criminal procedural bill. The criminal code bill stipulates that terrorism is a criminal offence against the State and security.

Strengthening capacity-building

34. Indonesia continues to improve its capacity to fight terrorism through training for law enforcement officers in the area of intelligence and information-sharing, investigation management, financial investigation, forensic incident management, intelligence analysis and legal advisory and legislative capacity-building for criminal justice officials and other national competent authorities.

Law enforcement

35. Indonesia has adopted a number of law enforcement measures, investigated several terrorism cases and has successfully prosecuted, arrested and punished individuals involved in terrorist activities, including the investigation of a number of terrorism cases that have been brought to the courts. In 2009 and 2010, Indonesia captured several terrorist suspects, including some of the most wanted, namely Noordin Mohammed Top and Joko Pitono, alias Dulmatin, who were shot dead by the Indonesian Police (Detachment 88). After the Bali Bombing of October 2002, Indonesia arrested more than 500 terrorist suspects, 350 of whom have been punished.

36. Indonesia has criminalized cases wherein individuals are members of terrorist organizations, as stipulated in article 17 and 18, in conjunction with article 1 (2) of the law on anti-terrorism. These articles have been used by public prosecutors in prosecuting cases against the defendants Abu Dujana and Zarkasih. In addition, the panel of judges also mentioned in the court judgment that Al Jamaah Islamiah is an illegal corporation.

37. It is worth noting that during 2009, the Indonesian Supreme Court examined more than eight cases of terrorism. The Supreme Court rejected three of them and to support the judgement made by the lower courts to sentence the terrorists to various periods of imprisonment. The Supreme Court is still examining five pending cases. As in 2008, the Supreme Court examined four cases of terrorism, rejected the plea of the terrorists and put them into prison for various lengths of time. In 2007, the Supreme Court examined six cases of terrorism and rejected four of them and strengthened the decision of the lower courts which had sentenced them to prison.

Inter-faith dialogue and deradicalization

38. Indonesia stresses the importance of addressing the conditions conducive to the spread of terrorism. In the context, in addition to its law enforcement measures, Indonesia uses other means of combating terrorism, including through inter-faith dialogue and deradicalization programmes.

Strengthening institutional capacity

39. Indonesia has an inter-agency coordination mechanism for the authorities responsible for the fight against terrorism. In 2002, Indonesia established a desk for coordinating such activities. Indonesia is in the process of establishing a new body to upgrade the coordination desk in order to promote a more coordinated response in countering terrorism.

40. In 2006, Indonesia also established a task force on terrorism and transnational crime within the Attorney General's office. The task force, which is designed to oversee counter-terrorism trials nationwide through a cadre of special terrorism prosecutors, has taken the lead in prosecuting terrorists and has won several convictions.

Jamaica

1. Jamaica commends the leadership role of the United Nations in international efforts to counter-terrorism: the important work achieved thus far through the implementation of the Global Counter-Terrorism Strategy; and the effectiveness of the multifaceted mechanisms that are in place to tackle the web of international terrorism.

2. Jamaica acknowledges the capacity of terrorists to optimize the networks and resources of transnational organized crime, including the benefits to be derived from the illicit traffic in arms and drugs, money-laundering and human trafficking. Jamaica reiterates its firm support for and commitment to the implementation of the provisions of Security Council resolution 1373 (2001) and remains determined to continue the fight against international terrorism by preventing and suppressing any attempt to aid or abet terrorists and their activities, such as financing or harbouring, and also by intensifying regional and international cooperation in information exchange and mutual legal assistance.

3. Pursuant to the obligations of States under the provisions of General Assembly resolution 50/53, Jamaica hereby submits its report to the Secretary-General of the United Nations on the measures it has taken in its efforts to combat and eliminate terrorism.

Legal framework

4. Jamaica reiterates its commitment to the rule of law as reflected in its legal framework, supported by appropriate measures and mechanisms, aimed at ensuring the proper implementation of all relevant United Nations international counter-terrorism instruments and resolutions. Jamaica also participates in regional, multilateral and bilateral agreements and arrangements to ensure and enable mutual legal assistance, including extradition.

International counter-terrorism instruments

5. Jamaica is party to 12 of the major international counter-terrorism and other conventions.

6. Jamaica is also taking steps to implement the 2005 amendments to the Convention on the Physical Protection of Nuclear Materials, the 2005 Protocol to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and the 2005 Protocol to the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf

National implementing counter-terrorism legislation

7. Jamaica has enacted a number of laws to implement its obligations under the conventions it is party to, and to otherwise aid in its fight against international terrorism. Domestic laws include the Terrorism Prevention Act (2005), the Proceeds of Crimes Act and Regulations (2007), the Bank of Jamaica (Amendment) Act (2004), the Interception of Communications Act, the Aircraft (Tokyo, Hague and Montreal Conventions) Act (1984), the Terrorism Prevention (Amendment) Act (2010), the Terrorism Prevention (Reporting Entities) Regulations 2010, and the Extradition and Mutual Legal Assistance Act, which were enforced with the following counter-terrorism and related effects:

(a) The Terrorism Prevention Act criminalizes (including by the imposition of imprisonment for life) any activity or attempt at such activity enabling terrorists (including funding, financing, transport, lodging, safe haven, recruitment of members or the supply of weapons) to carry out terrorist activities; obliges financial institutions and other intermediaries (including lawyers, notaries, insurance intermediaries, money transfer systems and accountants) to report suspicious transactions; and provides for strong penalties in cases of non-compliance. The Act also makes it possible to declare certain persons or institutions outside of those previously identified (for instance, charitable institutions) as financial institutions with the reporting obligations as those set out above;

(b) The Agreement permits Jamaican courts to extend their jurisdiction over persons responsible for terrorist offences outside of Jamaica (whether a Jamaican or a foreigner), once such person is found within the State and such offence is a terrorist offence within its legal framework;

(c) The Proceeds of Crimes Act makes money-laundering and the financing of terrorism predicate offences. The regulations also mandate the keeping and monitoring of identification and transaction records for financial institutions;

(d) The Bank of Jamaica Act regulates money transfer systems and agencies; there are no informal money transfer systems operating in Jamaica;

(e) The Aliens Act and the Immigration Restriction (Commonwealth) Act, the Passport Act, the Customs Act and the Civil Aviation Act provide more than sufficient coverage and control of cross-border movement of persons, cash and other monetary instruments, passengers and cargo inspection;

(f) A Port Security Bill is under consideration to further entrench the already enhanced customs security and risk assessment efforts, including the signing of the Declaration of Principles with the United States under its Container Security Initiative;

(g) The Trafficking in Persons (Prevention, Suppression and Punishment) Act has improved the ability to apprehend and punish human traffickers;

(h) Through the ability to wiretap telephone calls under the Interception of Communications Act, and the improvement of investigative tools under its Anti-Money Laundering regime, Jamaica has improved its ability to gather evidence in its pursuit to prosecute those responsible for terrorist offences.

Counter-terrorism measures and mechanisms

8. Various measures and mechanisms are in place at the national level to ensure implementation of national counter-terrorism legislation and policies. Jamaica is also involved in regional and international processes and systems geared to fight terrorism in all its aspects.

Financial Investigations Division

9. The Financial Intelligence Unit, established in 2001, is currently operating in the Ministry of Finance and Public Service as a sub-unit of the Financial Investigations Division, which was established in 2002 in the Ministry of National Security with the mandate to deter, investigate and prosecute financial crimes as well as protect national revenue and support an equitable tax system. This mandate was expanded in 2009 to include detection and deterrence of terrorist financing activities in line with the provisions of the Terrorism Prevention Act.

National Counter-Terrorism Council

10. The National Security Council functions as Jamaica's counter-terrorism body under the direction of the Prime Minister and with the collaboration of various Government ministries to coordinate and implement policy and operational measures, including information-sharing.

National Firearm and Drug Intelligence Centre

11. The National Firearm and Drug Intelligence Centre sources and disseminates intelligence relating to the traffic in drugs, arms and ammunition and extradition and deporting processes and has responsibility for liaising and sharing information with regional and international law enforcement agencies.

Watch lists and other screening procedures

12. Jamaica employs watch lists and screening procedures as useful tools to enhance capacities to identify terrorists and initiate preventive, investigative and/or restraining processes and action. Persons entering Jamaica are subject to screening, and national, Caribbean Community (CARICOM), United Nations and INTERPOL watch lists are kept updated and in frequent use.

Cross-border controls

13. To help monitor cross-border movements, Jamaica issues machine-readable passports, in compliance with International Civil Aviation Organization (ICAO) regulations, which exceed the minimum security requirements.

14. Jamaica is a member of the World Customs Organization and is fulfilling obligations related to its Safe Framework of Standards. To enable the timely exchange of information and intelligence, Jamaica has developed and established:

(a) The valuation intelligence risk management system, a central repository of information, allowing rapid tracking/tracing of declarations/invoices and their validity;

(b) Targeting and screening network, with other national Customs Departments in the region, to facilitate intelligence and information exchange.

Early warning arrangements and information exchange systems

15. Jamaica has early warning arrangements to facilitate rapid information exchange with other States through the conclusion of bilateral agreements with States and international bodies (including Jamaica's participation in the framework of the Organization of American States) and the real-time operations of the Caribbean Intelligence Sharing Network and the Joint Regional Communication Centre, staffed with law enforcement personnel (customs, immigration, military and police) from CARICOM States with responsibility for the analysis and dissemination of intelligence and information to individual Caribbean States. Jamaica optimizes its membership within INTERPOL and the Caribbean and Latin America Association of Intelligence Police to obtain direct exchanges of intelligence.

16. The Jamaica Defence Force has the responsibility to provide early warning to other States under specific bilateral agreements and arrangements (including with Colombia, Cuba, the United Kingdom and the United States).

Regional efforts to counter international terrorism

17. Jamaica participates in regional counter-terrorism efforts, including training, seminars and exercises, in cooperation with countries such as the United States, Canada and the United Kingdom.

18. Jamaica has benefited from technical assistance activities in this field from the Commonwealth Secretariat, the Organization of American States (OAS), the United Nations Office for Drugs and Crime (UNODC) and the Inter American Counter-Terrorism Committee. Assistance in this regard has enabled Jamaica's timely drafting of counter-terrorism legislation and enhanced its capacity to strengthen customs security through workshops and exercises, including undertaking public education and awareness seminars.

Mutual legal assistance and extradition

19. Jamaica, in its commitment to cooperate with other States through the exchange of legal assistance and information, and in order to extradite perpetrators of terrorist acts in accordance with its domestic laws, facilitates mutual legal assistance and extradition through the conclusion of bilateral treaties, the participation in the Commonwealth Mutual Legal Assistance in Criminal Matters (Harare) scheme and the Commonwealth Extradition of Fugitives (London) scheme, participation in the Inter-American Convention on Mutual Legal Assistance and through the cooperation of Jamaican authorities with regional and international law enforcement agencies and organizations such as INTERPOL and joint intelligence coordinating centre affiliates.

Refugee status

20. Jamaica has adopted a comprehensive policy with regard to persons seeking refugee status. In keeping with the obligations under the 1951 Convention relating to the Status of Refugees and the related 1967 Protocol, this policy allows the State to deny refugee status to persons who have engaged in terrorist activities.

Romania

1. Romania has the following national legislation in the field of counter-terrorism:

(a) Law No. 535 (November 2004) on preventing and countering terrorism;

(b) Law No. 656 (February 2002) on preventing and sanctioning money-laundering and on instituting measures for preventing and countering financing of terrorist acts, with the subsequent modifications, and Law No. 594 (June 2008) on approving the implementation of the provisions of Law No. 656 (February 2002);

(c) Law No. 508 (November 2004) on the establishment, organization and functioning of the Directorate for Investigating Organized Crime and Terrorism within the Public Ministry;

(d) Parliament Decision No. 21 (September 2001) on Romania's participation with other NATO members in actions of countering international terrorism;

(e) Law No. 92 (April 2004) on approving Romania's participation in the Australia Group for export control in the field of non-proliferation of chemical and biological weapons;

(f) Law No. 1272 (October 2005) on approving a list of individuals and legal persons suspected of carrying out/financing terrorist acts;

(g) National Securities Commission Regulation No. 11 (September 2005) on preventing and combating money-laundering and financing of terrorist acts through capital markets;

(h) National Securities Commission President's order No. 9 (March 2005) on approving instructions with reference to the prevention of financing terrorist acts;

(i) Law No. 531 (April 2006) on approving the regulation on organizing and functioning of the National Office for Preventing and Combating Money-Laundering;

(j) Assurances Supervision Commission Rule (December 2005) on preventing and combating money-laundering and the financing of terrorist acts through assurance markets;

(k) Law No. 91 (June 2007) on implementing specific legislation on preventing and combating money-laundering operations and/or financing terrorist acts by the financial auditors;

(l) Law No. 202 (December 2008) on enforcing international sanctions;

(m) Assurances Supervision Commission rules (December 2008) on preventing and combating money-laundering and financing of terrorist acts through assurance markets.

2. Romania is party to the following international laws with national applicability:

(a) International Convention for the Suppression of Acts of Nuclear Terrorism (2005), ratified by Law No. 369 (October 2006);

(b) Council of Europe Convention on the Prevention of Terrorism, Warsaw (2005) ratified by Law No. 141 (November 2006);

(c) Council of Europe Convention on the Laundering, Search, Seizure and Confiscation of Proceeds from Crime and the Financing of Terrorism, Warsaw, (2005) ratified by Law No. 420 (November 2006).

3. Romania has signed the following bilateral/multilateral agreements on cooperation, including information and intelligence exchange:

(a) Agreement signed between Romania and Hungary (April 2004) on enforcing the provisions of the Romanian-Hungarian convention on border and rail control;

(b) Agreement between Romania and Sweden (May 2004) regarding cooperation in combating organized crime, illegal drugs, substances and precursors trafficking, human trafficking, terrorism and other major crimes;

(c) Agreement between Romania and Georgia (May 2004) regarding cooperation in combating terrorism, organized crime, illegal drugs, substances and precursors trafficking, and other major crimes;

(d) Protocol on countering terrorism (December 2004) additional to the agreement of cooperation between the States participating in the Organization of the Black Sea Economic Cooperation in the field of countering crime, especially organized crime;

(e) Agreement between Romania and Bulgaria (December 2004) regarding the cooperation of border authorities;

(f) Agreement (June 2005) amending the partnership agreement between member States from Africa, the Caribbean and the Pacific and member States of the European Community, signed in Cotonou (June 2000);

(g) Agreement between Romania and Switzerland (September 2005) regarding cooperation in combating terrorism, organized crime, trafficking in drugs, substances and precursors and other transnational crimes;

(h) Cooperation agreement between the Romanian National Office for Preventing and Combating Money-Laundering and the State Prosecutor of Luxembourg, on cooperation and financial intelligence exchange in the field of combating money-laundering and terrorist financing (June 2006);

(i) Agreement between Romania and Indonesia (July 2006) regarding cooperation in preventing and combating transnational organized crime, terrorism and other crimes;

(j) Agreement between Romania and Estonia (August 2006) regarding the mutual protection of classified information;

(k) Agreement between Romania and Hungary (December 2006) on enforcing the provisions of the Romanian-Hungarian convention regarding border and rail control traffic, Bucharest, April 2004;

(l) Agreement between Romanian National Office for Preventing and Combating Money-laundering and the Russian Federal Financial Monitoring Service (May 2007) on intelligence exchange in the field of preventing and combating money-laundering and terrorist financial support;

(m) Agreement between Romania and the Council of Ministers of Bosnia and Herzegovina (June 2007) regarding cooperation in combating terrorism and organized crime;

(n) Agreement between Romania and Serbia (July 2007) regarding cooperation in combating international terrorism, organized crime and trafficking in drugs;

(o) Trilateral extended cooperation protocol on combating crime, especially cross-border crime, between Romania, Bulgaria and Serbia, signed in Belgrade (September 2008);

(p) Agreement between Romania and Turkey (October 2007) regarding the cooperation in preventing, limiting and removing disaster effects;

(q) Agreement between Romania and Hungary (November 2007) regarding cooperation in aerial police missions;

(r) Security agreement between Romania and Norway on mutual protection of classified information, signed in Bucharest, May 2008;

(s) Memorandum of understanding between Romanian and Israeli authorities on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Bermuda, May 2007;

(t) Memorandum of understanding between Romanian and Hungarian authorities on cooperation in financial intelligence exchange related to money-laundering and financing terrorism, signed in Budapest, September 2007;

(u) Memorandum of understanding between the Romanian National Office for Preventing and Combating Money-Laundering and the British Serious Organized Crime Agency/Financial Intelligence Unit on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Bermuda, May 2007;

(v) Memorandum of understanding between Romanian and Norwegian authorities on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Seoul, May 2008;

(w) Memorandum of understanding between the Romanian National Office for Preventing and Combating Money-Laundering and the Montenegrin Office to Prevent Money-Laundering and Financing Terrorism on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Bucharest, October 2008;

(x) Memorandum of understanding between the Romanian National Office for Preventing and Combating Money-Laundering and the Financial Intelligence Unit of the Government of Nigeria on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Seoul, May 2008;

(y) Memorandum of understanding between the Romanian and Finnish authorities on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Seoul, May 2008;

(z) Memorandum of understanding between the Romanian National Office for Preventing and Combating Money-laundering and the Turkish Financial Crime Investigation Council on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Bucharest, September 2008, and in Ankara, October 2008;

(aa) Memorandum of understanding between the Romanian and Lebanese authorities on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Beirut, September 2008;

(bb) Memorandum of understanding between the Romanian National Office for Preventing and Combating Money-laundering and the Paraguayan Secretariat for Prevention of Money-laundering or Property on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Bucharest, December 2008, and in Asunción, December 2008;

(cc) Memorandum of understanding between the Romanian National Office for Preventing and Combating Money-laundering and the Maltese Financial Information Analysis Unit on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Doha, May 2009;

(dd) Memorandum of understanding between the Romanian National Office for Preventing and Combating Money-laundering and the Armenian Financial Monitoring Center of the Central Bank of Armenia on cooperation in financial intelligence exchange related to money-laundering and terrorist financing, signed in Doha, May 2009;

(ee) Agreement between Romania and Hungary (October 2008) on preventing and combating cross-border crime.

Spain

1. Spain has recently subscribed to a number of universal and regional conventions on terrorism as well as bilateral conventions, in force or under provisional application, in the fight against drug trafficking and organized crime, mutual legal assistance and extradition and cooperation in the prevention and suppression of terrorism.

Technical assistance activities

2. Part of Spain's contribution to the efforts of the international community in combating terrorism is the development of technical assistance activities aimed at improving the capacity of recipient States in preventing and combating terrorism in order to fulfil their obligations under United Nations Security Council resolution

1373 (2001) and the United Nations conventions and protocols in the fight against terrorism.

3. In recent years, Spain has greatly increased its financial contribution to various training programmes against terrorism run by organizations such as the United Nations Office on Drugs and Crime (UNODC) and the Counter-Terrorism Implementation Task Force, as well as regional organizations such as the Organization of American States (OAS), the African Union and the Organization for Security and Cooperation in Europe (OSCE) and various regional training centres.

Terrorism Prevention Branch (UNODC)

4. Spain contributes to the Terrorism Prevention Branch of UNODC by providing experts from the prosecution, judiciary, the Ministry of Justice, the Ministry of the Interior and the Ministry of Foreign Affairs and Cooperation. In addition, Spain has made contributions aimed at financing technical assistance projects, including seminars, round tables, workshops, meetings of experts, whether national, regional or subregional or on-site, and missions, focused on the development of national policy instruments for the implementation of international standards on terrorism. The projects are under negotiation with the beneficiary States and fall under the priorities identified by the Counter-Terrorism Executive Directorate of the Security Council and in the United Nations Global Counter-Terrorism Strategy.

5. Among the various activities recently held in this field is the workshop held in June 2009 in the Canary Islands on strengthening international cooperation in criminal matters related to terrorism, organized jointly by Spain and UNODC, with the participation of the 15 member States of the Economic Community of West African States (ECOWAS) and representatives of the commissions of ECOWAS and the West African Economic and Monetary Union.

6. The workshop was seen as a continuation of the ministerial round table held in Madrid in May 2006, during which participants adopted the Madrid Plan of Action and Declaration, in which the African States represented, while condemning terrorism as an unjustifiable act whatever its nature or purpose, agreed to promote ratification of the universal instruments in the fight against terrorism, to adopt the relevant provisions into their national laws in order to prosecute such crimes, to eliminate existing obstacles to avoid extradition, when appropriate, and to acquire mutual legal assistance mechanisms in order to combat terrorism more effectively.

7. Spain has contributed to the activities of the Terrorism Prevention Branch in 2008 with a total of 500,000 euros (€), and, in 2009, with €200,000.

8. Spain provides substantial financing for UNODC projects, allocating 30 per cent of its contribution for general purposes and administration and 70 per cent for specific projects. The priorities established at the source of this financing are intended to support activities in Latin America and almost all of the selected projects are in that geographic area, with priority given to those projects aimed at reducing illicit drug demand and promoting alternative development in areas of illicit drug cultivation.

9. UNODC received a financial contribution from Spain amounting to €600,000 in 2008 and €300,000 in 2009.

Inter-American Committee against Terrorism (OAS)

10. The objectives of the Spanish collaboration with the OAS Inter-American Committee against Terrorism are the funding of training activities in areas of mutual interest to the organization and Spain, particularly in border control and customs control against the financing of terrorism, transport security and cyber-security and non-proliferation of weapons of mass destruction and collaboration in the legal and judicial areas of the fight against terrorism.

African Centre for Study and Research on Terrorism (African Union)

11. Spain has contributed to the Centre both economically (€100,000 in 2007 and €50,000 in 2009) and by sending experts and organizing seminars.

Jakarta Centre for Law Enforcement Cooperation

12. Spain is working with the Jakarta Centre for Law Enforcement Cooperation to implement technical assistance activities through the participation of Spanish experts in its activities, and is helping to fund the Centre with the voluntary contributions.

13. Spain has decided, with the Centre, to use the Spanish contribution for 2009 and 2010 for the purpose of training staff in identifying victims after attacks or major disasters. The presence of specialized Spanish personnel at the Centre has been maintained in recent years.

Organization for Security and Cooperation in Europe

14. After the Spanish presidency of OSCE in 2007, which gave special support to the programme of the Action against Terrorism Unit on the security of travel documents, the programme on legal cooperation in criminal matters related to combating terrorism and the issue of victims of terrorism, Spain has maintained its financial support to the Unit, contributing €184,000 in 2008 and €80,000 in 2009.

Intergovernmental Authority on Development

15. Spain has contributed to the financing of the Programme against Terrorism of the Intergovernmental Authority on Development (IGAD) since its establishment in 2003. The Programme meets the mandate contained in the action plan against terrorism adopted by the IGAD Summit in Uganda, in 2003, which called for concerted action in the following areas: measures to establish a regional approach in the fight against terrorism within a comprehensive international strategy; measures to combat terrorist financing; strengthening the operational capacity to collect and share information; ensuring the protection of human rights in operations against terrorism; and educational programmes to strengthen public support.

Task Force on Counter-terrorism of the Group of Eight

16. Spain has continued to participate in meetings of the Task Force on Terrorism which brings together member States of the G-8, plus Spain, Australia and Switzerland, and most relevant international organizations in training for the fight against terrorism, such as the Counter-Terrorism Committee Executive Directorate, with the aim of assisting and promoting the coordination of technical assistance

relevant to the fulfillment of the obligations contained in Security Council resolution 1373 (2001).

Spanish participation in multilateral forums

United Nations

17. Spain supports the strengthening of the multilateral framework, in particular the United Nations, as the only fully effective and long-term legitimate body to respond to the threat of terrorism. Spain is helping to strengthen the institutional capacities of the Organization and is working for the continued improvement of the international framework.

18. Spain has actively contributed to the strengthening and improvement of the existing anti-terrorism regulatory framework and has played an active role in the design and negotiation of the United Nations Global Counter-Terrorism Strategy, adopted by the General Assembly on 8 September 2006. Aware of the importance of promoting the implementation of the Strategy, Spain has supported the United Nations Counter-Terrorism Implementation Task Force since its creation. Spain has been one of the main supporters of the Task Force since its creation. In 2008, the contribution of Spain to the Task Force was €600,000, and in 2009 its €550,000 contribution was focused on victims of terrorism, conflict prevention and support for the operations of the Task Force Office.

European Union

19. During the first half of 2010, Spain held the European Union Presidency. The fight against terrorism is a key element on the agenda of the Presidency. The priorities of the Spanish Presidency were focused on the importance of maintaining a coordinated effort in the fight against terrorism, respect for the rule of law in this fight, the usefulness of the European Union Counter-Terrorism Strategy, the fostering of transatlantic dialogue and cooperation with third countries.

Victims of terrorism

20. In advancing the United Nations Global Counter-Terrorism Strategy in recent years, Spain has been promoting international solidarity with the victims of terrorism. This consistent line of action is based on the following three areas:

(a) The insistence that the concern about the victims should be treated from the perspective of human rights, as part of the comprehensive response that "rule of law" societies must give to terrorism, while respecting the rights of suspects and protecting and upholding the rights of its citizens;

(b) It is clear from the Spanish experience that the voice of the victims may have great value in the prevention of terrorism by acting as means to delegitimize it, and to mobilize civil society; it is equally necessary to design and implement care and support specific, national and international instruments to meet the needs of victims of terrorism;

(c) Spain has supported the Task Force's working group on supporting victims of terrorism. One of the most important activities was the organization of the Secretary-General's Symposium on Supporting Victims of Terrorism in September 2008 in New York. The goal of the event was to facilitate dialogue

between associations of victims, Member States, international organizations and civil society organizations so as to convey support for the working group and spread the message that the humanization of the victim is an effective measure to combat terrorism.

21. Since 2007, Spain has also been organizing annual seminars at the Training Centre of the Spanish International Cooperation Agency for Development in Cartagena, Colombia, on assistance and solidarity with the victims of terrorism and other victims of violent crime, giving them the opportunity to share their experiences and to support victims on both sides of the ocean.

Human rights and the fight against terrorism

22. Spain very much appreciates that, in adopting the Strategy, the General Assembly has agreed to reaffirm and strengthen the obligation of States to respect human rights, the rule of law, international refugee law and international humanitarian law as the fundamental framework of the measures taken at national and international levels to combat terrorism.

23. As a result, Spain has promoted an international strategy to combat terrorism that positions international law, respect for human rights and the rule of law as the basis of any government action against terrorism.

Alliance of Civilizations

24. One of the obvious key concerns in the report of the high-level group of the Alliance of Civilizations is terrorism. The report identifies terrorism as a main issue of international tension and mistrust among societies, and presents an analysis of terrorism related to or inspired by Al-Qaida, which has positioned itself as part of an alleged conflict of civilizations, focusing much of its message and ideology on feeding and inciting mutual distrust, and taking advantage of such mistrust as a breeding ground for the radicalization of young people in different parts of the globe in order to attract them to terrorism.

25. The initiative of the Alliance of Civilizations, of which Spain is a co-sponsor, has been reflected in the development of a series of national plans and practical ideas for the implementation of its initiatives, including the prevention of terrorism. Spain also supports the Forum of the Alliance, the first of which took place in Madrid in 2008, as a platform for dialogue and the facilitation of initiatives and collaborative projects. The result of this effort was supported by the General Assembly in November 2009 through the adoption of its resolution on the Alliance of Civilizations.

26. The Second Forum was held in Istanbul on 6 and 7 April 2009, and the Third Forum in Rio de Janeiro on 28 and 29 May 2010.

27. Spain has given its full support to this initiative during its Presidency of the European Union, highlighting the celebration in Córdoba (3 and 4 May 2010) of the international conference on "Religious Freedom in Democratic Societies".

Switzerland

1. Almost four years after the adoption of the United Nations Global Counter-Terrorism Strategy, the General Assembly meeting on 8 September 2010 will offer a valuable opportunity for Member States and United Nations stakeholders to share views and information on the current and future steps in implementing the Strategy, identify best practices and coordinate their work in this regard.

2. The Strategy offers a comprehensive framework for a coherent international response to terrorism. It encourages Member States, the United Nations and other international, regional and subregional organizations to support the implementation of the Strategy, and encourages non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement it. The Strategy reminds us that an effective global counter-terrorism programme must focus on non-military tools and emphasizes the need to promote all four pillars of the Strategy, including capacity-building, law enforcement cooperation and dealing with the underlying societal and political conditions that are conducive to the spread of terrorism. Last but not least it reaffirms that counter-terrorism efforts must respect human rights and the rule of law.

3. Switzerland commends the Counter-Terrorism Implementation Task Force and its office for its ongoing efforts to enhance coherence within the United Nations system in promoting all four pillars of the Strategy.

4. Switzerland welcomes the institutionalization of the Task Force in General Assembly resolution 64/235. In order to carry out its mandate effectively, the Task Force needs to be continuously provided with an appropriate level of resources, in particular through the existing regular budget.

5. Switzerland believes that the definition of the relationship and interaction between the Task Force and Member States set out in General Assembly resolution 64/235 has established a balanced approach to ensuring policy guidance for Member States, while avoiding excessively detailed oversight.

6. Switzerland's international efforts to counter terrorism are led by the Counter-Terrorism Coordinator at the Ministry of Foreign Affairs, who has the primary responsibility for developing, coordinating and implementing the country's foreign policy with regard to counter-terrorism.

7. In order to ensure an integrated implementation of the elements contained in the United Nations Global Counter-Terrorism Strategy at the domestic level, the Coordinator chairs the so-called "Interdepartmental Group on Counter-Terrorism" within the Swiss federal administration. Whereas each of the more than 30 agencies in the group remains fully empowered in its area of competence, the Counter-Terrorism Coordinator's Office is establishing, within this framework, a consistent policy regarding counter-terrorism.

8. Switzerland presents the following examples of its activities to implement the Strategy and each of its four pillars since the last formal review of the Strategy in September 2008, including its cooperation with and support of the different working groups of the Task Force and its various entities.

Strategy: chapeau

9. The Strategy encourages Member States to support its implementation through mobilizing resources and expertise.

10. At the outset, Switzerland emphasizes the need to promote all four pillars of the Strategy. It has therefore provided financial support for the Task Force's "Integrated Assistance for Countering Terrorism Initiative".

11. The adoption of the United Nations Global Counter-Terrorism Strategy in September 2006, and its holistic framework, which seeks to include both traditional and non-traditional counter-terrorism actors in preventing and responding to terrorism, is significant. However, there is still no forum for national coordinators/focal points to come together on a regular basis and engage jointly on concrete issues related to the implementation of the Strategy and to better connect global, regional and national counter-terrorism initiatives.

12. In 2007, as a contribution to the implementation of the Strategy, Switzerland, together with Costa Rica, Japan, Slovakia and Turkey, initiated an international process on global cooperation in combating terrorism". The focus of the process was on assessing the overall contributions of the United Nations to the fight against terrorism and identifying ways to make its institutions more relevant to national counter-terrorism strategies and better able to support implementation of the Strategy.

13. The 19 recommendations which emerged from the process in 2008, which were subsequently presented to the General Assembly during the first formal review of the Strategy in September 2008, included a proposal for the creation of a new informal global platform, intended to facilitate discussion among counter-terrorism coordinators of the Member States and between the latter and representatives of the United Nations and other international institutions.

14. With this in mind, and in order to foster greater networking among the national counter-terrorism focal points and to facilitate their role as interface among national, regional and global counter-terrorism efforts, the Governments of Austria, Norway, Switzerland and Turkey, also on behalf of the other co-sponsoring Governments of Costa Rica, Japan and Slovakia, organized, in close cooperation with the Task Force, the Counter-Terrorism Committee Executive Directorate and the United Nations Office on Drugs and Crime (UNODC), a two-day international workshop of national counter-terrorism focal points entitled "Better linking national and global counter-terrorism efforts", which took place in Vienna on 12 and 13 October 2009. During the two-day workshop, representatives of 113 Member States, 40 regional and subregional organizations and entities of the United Nations system dealing with counter-terrorism came together to liaise with each other and to exchange information on issues related to the implementation of global and regional counter-terrorism commitments. During the 2009 international workshop of national counter-terrorism focal points in Vienna, participants discussed the value of the Strategy as a comprehensive guide for ensuring a holistic approach in addressing terrorism at the domestic level.

Plan of Action: chapeau

15. In fulfilment of the Strategy, Switzerland deposited, on 15 October 2008, the instruments of ratification or accession with regard to the four 2005 universal

conventions and protocols against terrorism, thus ratifying all 16 United Nations conventions and protocols against terrorism that have been developed under the auspices of the United Nations and its specialized agencies.

16. In conformity with the Strategy, Switzerland closely cooperates with the different counter-terrorism subsidiary bodies of the Security Council and supports these bodies in fulfilling their tasks, in particular the work of the Al-Qaida and Taliban Sanctions Monitoring Team. Upon request by the Monitoring Team, acting on behalf of the Task Force, Switzerland is co-financing a study to explore the feasibility of developing terrorist financing indicators (the project started in 2008 is still ongoing). Swiss experts and representatives of the Monitoring Team meet regularly to discuss issues of common concern.

Plan of Action: Measures to address the conditions conducive to the spread of terrorism

17. Switzerland strongly believes that addressing conditions conducive to the spread of terrorism is an essential part of an effective and comprehensive strategy to combat and prevent terrorism. According to the Strategy, these conditions include: poverty, prolonged unresolved conflicts, dehumanization of victims of terrorism, lack of rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance.

18. The following examples highlight Switzerland's recent engagement regarding the first pillar of the Strategy:

(a) Switzerland financially supports the Geneva Centre for the Democratic Control of Armed Forces, which assists the international community in pursuing good governance and reform of the security sector. It also financially supports the Geneva Centre for Security Policy, which provides an international forum for dialogue on issues relating to security and peace policy. In addition, Switzerland has been active for more than five years in the development of projects and methodologies aimed at addressing restrictions to political participation as well as the limitation of the operations of charitable organizations;

(b) Switzerland's activities in Afghanistan can serve as one specific example of integrated Strategy implementation and cooperation also with non-traditional actors in the fight against terrorism. As part of international efforts to boost law and order, Switzerland contributes to the reform of the Afghan security sector. Its engagement falls under the Law and Order Trust Fund for Afghanistan, which was set up by the United Nations in May 2002 together with the Ministry of Interior as the executing agency. The United Nations Development Programme (UNDP) was entrusted with the management of respective funds. The main purpose of the Trust Fund is to finance and support the formation of the renewed national police forces in Afghanistan. The priority activities to be addressed are: the nationwide payment of police staff salaries, acquisition of non-lethal equipment, rehabilitation of department facilities, capacity-building and institutional development. In particular, Switzerland is helping to ensure Afghanistan's police force gets paid fairly and on time in order to prevent corruption (the computerized payroll programme enables tracking financial flows) as well as to stop domestic violence in the country. Since 2003, Switzerland has contributed 3.7 million Swiss francs to the Trust Fund. A

number of other projects aiming at countering the further rise of terrorism are currently under review;

(c) In 2009, Switzerland, together with the United Nations, the Organization for Economic Cooperation and Development (OECD), the World Bank and NATO as convenors, organized the "3C-conference" for a more coherent, coordinated and complementary approach in fragile and conflict-affected States, promoting whole-government and whole-system initiatives. The dialogue across policy communities led to a reinforcement of existing international policy commitments, with ownership and the endorsement of other policy communities, which resulted in the adoption of a common road map to reach shared State-building and peacebuilding results;

(d) Switzerland has initiated thematic platforms within the Alliance of Civilizations initiative in which Muslim and non-Muslim countries of the Group of Friends of the Alliance can work on concrete issues of cooperation, such as "bridging the gap in the humanitarian and development field" or "media literacy". The Swiss approach is to have action-orientated dialogue on concrete projects, which leads to a mutual understanding. Further dialogue and cooperation can be based upon mutual understanding;

(e) In 2009, Switzerland co-organized a Euro-Atlantic Partnership Council (EAPC) workshop on "Civil society facing the consequences of terrorism: victims of terrorism, civil liberties and human rights". The high-level workshop engaged almost 100 participants from 24 EAPC member States and partner States in stimulating and comprehensive discussions about a topic of crucial importance to national and international security. Twenty-five internationally renowned specialists with various backgrounds spoke in four panels about the consequences of terrorism. In general, the speakers supported the argument that the international community should strive for a common vision of the terrorist threat we face.

Plan of Action: Measures to prevent and combat terrorism

19. Switzerland condemns terrorism in all its forms and manifestations no matter who is responsible, where it happens and what the objectives are. Terrorist groups today deliberately target civilians, and can obtain access to modern technology with unprecedented destructive potential. Those responsible for such acts must be either prosecuted and judged or extradited.

20. The following examples highlight Switzerland's recent engagement regarding the second pillar of the Strategy:

(a) With the entry into force of the Federal Act on the Implementation of the Revised Recommendations of the Financial Action Task Force against Money-Laundering on 1 February 2009, the advantages of Switzerland's financial centre have been consolidated, inter alia, by the revision of the Anti-Money-Laundering Act according to international standards. The most significant reform in this respect is that suspected terrorist financing is now subject to mandatory reporting. However, it is important to state that this duty to report already existed before the revision, based on the interpretation of terrorist financing under the old AMLA. In addition, a new ordinance on the control of transborder cash traffic entered into force on 1 March 2009 enabling more effective border controls in order to prevent money-laundering and terrorist financing;

(b) In May 2010, the Office of the Attorney General of the Swiss Confederation initiated several inquiries against persons suspected of terrorist financing and/or membership in and support of a criminal organization with a terrorist background. Several requests for judicial assistance have been submitted to Switzerland by different States involving the areas of radical Islamism, ethno-nationalist movements and certain organizations on the extreme left active in Europe and the Near and Middle East. Most of these requests have been accepted and executed by the Swiss authorities (for more details please refer to the contributions by Switzerland to the Secretary-General's annual reports on "Measures to eliminate international terrorism");

(c) One of Switzerland's top priorities is the improvement of the protection of individuals and civilians against the uncontrolled proliferation and abuse of small arms. Since the late 1990s, Switzerland, together with many other countries, international organizations and non-State actors, has been implementing a broad spectrum of practical measures aimed at reducing this threat. In addition, since 2007, it has been providing counter-terrorism and security sector reform training for representatives from the Iraqi Government and for other States on an annual basis. It has also been supporting regional police cooperation in the Western Balkans through technical and project assistance to the Southeast Europe Police Chiefs Association since 2008;

(d) Since 2008, Switzerland has been funding an anti-money-laundering programme to introduce international standards in this area, and implemented through the European Bank for Reconstruction and Development, in various States. At the domestic level, Switzerland has updated its legislation following the recommendations of the Financial Action Task Force amending its Anti-Money-Laundering Act. The amendment, which entered into force on 1 February 2009, explicitly includes the financing of terrorism;

(e) In 2008, Switzerland organized an EAPC workshop on "Assessing and Countering Jihadist Propaganda";

(f) In the Strategy, the General Assembly resolved to ensure, as a matter of priority, that fair and transparent procedures exist for placing individuals and entities on its lists, for removing them and for granting humanitarian exceptions. In a letter sent to the Security Council on 23 June 2008, the Governments of Denmark, Germany, Liechtenstein, the Netherlands, Sweden and Switzerland suggested the establishment of a panel within the Security Council that would be mandated to issue non-binding recommendations on individual de-listing requests, thus addressing concerns regarding the right to an effective review mechanism. On 17 December 2009, the Security Council has decided in resolution 1904 (2009) to create the office of an Ombudsperson. Switzerland welcomes this improvement to the existing procedure. As a result, the rights of individuals should be better taken into account at the international level;

(g) Since August 2009, Switzerland has been participating in the "Public Key Directory" of the International Civil Aviation Organization (ICAO), and it is among the first States to have joined this instrument which is intended to facilitate control over biometric identity documents.

Plan of Action: Measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

21. Strengthening capacity-building measures are crucial for the effective implementation of the Strategy. Since 2003, Switzerland has conducted increased security assistance and counter-terrorism capacity-building programmes in different countries and regions. The regions that have received the most attention are Central Asia, North Africa and the Middle East, as well as the Balkans. Switzerland has primarily conducted and is currently engaged in activities related to anti-money-laundering and countering the financing of terrorism, the establishment of financial intelligence units, border security, critical infrastructure protection, legislative assistance, security sector reform, human rights training for law enforcement officials, and other areas for which Switzerland has relevant expertise.

22. The following examples highlight Switzerland's recent engagement regarding the third pillar of the Strategy:

(a) From 2007 to 2010, Switzerland has annually contributed to the UNODC project on strengthening the legal regime against terrorism, as stipulated in paragraph 1 of section 3 of the Strategy;

(b) Switzerland is co-organizing a workshop for North-African judges, key governmental experts and prosecutors in the area of draft legislation and training of the judiciaries. The workshop is jointly organized with the African Centre for the Study and Research on Terrorism and is planned for the end of 2010. The aim of the workshop is to ensure proper implementation of the instruments to which the States are party, including by establishing the relevant offences as serious crimes in their domestic legislation;

(c) In September 2009, Switzerland and the United States of America co-hosted an International Bioterrorism Response Coordination Exercise for representatives of Governments and regional and international organizations. The two-day exercise examined the cooperation and coordination issues between States and international/regional organizations in response to an international bioterrorism attack, contributing to building capacity to combat terrorism and strengthening the role of the United Nations system in this regard;

(d) From 2007 to 2009, Switzerland financially supported several activities of the Task Force's Working Group on "Tackling the financing of terrorism";

(e) The Strategy invites the United Nations to develop, together with Member States, a single comprehensive database on biological incidents. In response, Switzerland's Federal Office for the Environment established, in 2008, a point of contact with the United Nations Office for Disarmament Affairs and offered to assist with the further development of the database.

Plan of Action: Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

23. Switzerland fully shares the view reaffirmed in the Strategy that counter-terrorism efforts must respect human rights and the rule of law. The promotion of these principles in their own right is a critical element in effectively addressing terrorism.

24. The following examples highlight Switzerland's recent engagement regarding the fourth pillar of the Strategy:

(a) Switzerland contributes to the United Nations Law and Order Trust Fund for Afghanistan, for which the Swiss Agency for Development and Cooperation partners with the Afghan Ministry of Interior, the United Nations Development Programme, the Afghan National Police and other international donors. As a result of Switzerland's support for the Trust Fund, it helps the Government of Afghanistan to empower and enable policewomen to deliver policing services in communities, to reduce violence against women and to promote security and peace in the country;

(b) With financial contributions to the Voluntary Fund for Technical Cooperation, Switzerland is supporting the work of OHCHR to protect human rights in partner countries and to promote implementation of respective human rights obligations. Due to its field presence, OHCHR often plays an important role in monitoring and preventing human rights abuses and strengthening capacities of national protection mechanisms. This contributes to reduce in potential for the further radicalization of population groups suffering from human rights violations and to prevent potential violent confrontations;

(c) Since 2007, Switzerland has been financially supporting the work of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

United States of America

1. The United States of America continues to support the implementation of the Strategy and looks forward to participating in the biennial review of the General Assembly on 8 September 2010. The United States believes that this United Nations instrument offers a useful model for a holistic response to terrorism. This is the result of both its substantive breadth, which is reflected by the inclusion not only of many of the same measures to combat and prevent terrorism found in relevant Security Council resolutions, but measures to address the political, social and economic conditions that can give rise to terrorism, and the emphasis it places on the role that a range of stakeholders, in addition to Governments, such as the multilateral bodies, the private sector and civil society, play in preventing and countering terrorism. In addition, the Strategy remains a useful tool to further strengthen the bilateral and multilateral partnerships that are critical to enhancing international counter-terrorism cooperation.

2. In addition, the Strategy reinforces a number of critical elements of the United States approach to countering terrorism. First, it reminds us that terrorism will never be defeated by military force alone, so it is critical that Governments promote the rule of law, democratic values, good governance and equitable social conditions to offer a viable alternative to those who, without the hope of a better life, are susceptible to terrorist recruitment and radicalization. Second, the Strategy underscores that the promotion and protection of human rights for all and the rule of law are essential for an effective counter-terrorism strategy, whether at the global, regional, subregional, or national level. Third, it highlights the importance of strengthening the institutional capacities of States to prevent and combat terrorism. Effectively building State capacities and making counter-terrorism training for

police, prosecutors, border officials and members of the judiciary more systematic, more innovative and far reaching is a priority for the United States.

3. We are interested in working more closely with the United Nations system on a range of counter-terrorism capacity-building issues around the globe. As evidence of this commitment, on 9 April 2010, the Department of State's Coordinator of Counter-terrorism organized a full-day meeting involving United States and United Nations officials. The meeting was aimed at enhancing cooperation in building counter-terrorism capacities in the Sahel. The meeting adopted a number of recommendations aimed at enhancing the sustainability of counter-terrorism training and institution-building efforts, which may be of interest to the Counter-Terrorism Implementation Task Force, including: (a) placing mentors in national agencies to work with those officials who have received counter-terrorism training on how to implement and share the lessons learned; (b) obtaining a commitment that officials who receive training remain in their posts for a minimum period of time; (c) building the capacities of national police and other training academies; (d) placing more emphasis on train-the-trainer programmes; (e) conducting evaluations of the effectiveness of the outcomes of capacity-building activities with a view to making the adjustments necessary to enhance their effectiveness; (f) developing generic, practical guidelines and training materials to assist States in bringing the counter-terrorism capacities up to international standards; and (g) strengthening the capacities of regional training centres involved in counter-terrorism-related training, thus providing useful platforms not only for building capacity but fostering more regional cooperation.

4. In addition to continuing to find ways to work more closely with the United Nations system on a range of Strategy-related capacity-building issues, the United States will be looking to deepen its cooperation with the United Nations in countering violent extremism, which lies at the heart of the United States approach to countering terrorism. In this context, the United States is pleased to support the work of the United Nations International Crime and Justice Research Institute (UNICRI) "Center on Policies to Counter the Appeal of Terrorism" to detect and prevent pathways into terrorism and promote early intervention efforts against terrorist recruitment and rehabilitation initiatives. Building upon our original voluntary contribution to the Task Force's Working Group on Radicalization and Extremism that Lead to Terrorism, the United States is currently supporting UNICRI's efforts to support facilitation of the exchange of information and experience among Governments on their respective projects and programmes aimed at countering the appeal of terrorism and violent extremism.

5. We believe that the comparative advantage of the United Nations in this field lies in providing a platform for Government and non-government experts from different regions to come together to discuss these issues, and we are looking at ways to further support the organization's work in this area.

6. The United States would like to share its non-paper "Regarding the future direction of the United Nations Counter-Terrorism Implementation Task Force and United Nations Counter-terrorism Engagement on the Ground" (see para. 7 below), which was presented to the Roma/Lyons Group of the Group of Eight earlier this year. We believe the paper offers a number of practical ideas for further enhancing the on-the-ground relevance of the United Nations counter-terrorism programmes, at least some of which could be reflected in the report of the Secretary-General.

7. The United States believes that both the Secretary-General's report and the 8 September review should highlight the importance of raising more awareness about the Strategy outside New York. The Strategy has the potential to be a useful tool in promoting "whole system" responses to terrorism. However, at present, too few national officials, particularly officials outside the Ministries of Foreign Affairs, are familiar with it and the opportunities it offers. Much like has been done over the years with regional awareness raising workshops focused on Security Council resolution 1540 (2004), the office of the Task Force should spearhead an awareness-raising campaign regarding the Strategy. This could include a series of regional workshops that bring together relevant national practitioners, including United Nations, regional organizations and civil society experts to explain the practical significance of the Strategy for the relevant regions and to identify how it can be implemented in an integrated manner on the ground, taking the local context into account.

United States non-paper regarding the future direction of the United Nations Counter-Terrorism Implementation Task Force and United Nations counter-terrorism engagement on the ground

1. The United States is committed to more sustained and strategic engagement with and at the United Nations. We pledge to work closely with the wider United Nations membership, including by seeking to enhance practical cross-regional counter-terrorism cooperation at the United Nations, in order to further strengthen the effectiveness of the United Nations counter-terrorism programme. Working with our Group of Eight and other partners, our goal is to make the activities of the United Nations even more relevant to our national and regional efforts to combat and prevent terrorism in all its forms and manifestations.

2. This renewed commitment is based on recognition of the critical role the United Nations can play in furthering our collective counter-terrorism objectives. This includes as a norm-setter, needs assessor, capacity-building assistance provider and facilitator, convener of experts, as well as through its work to mediate and resolve conflicts, and to promote economic growth, good governance, transparency, accountability and interreligious and cultural dialogue.

3. We recognize the unique expertise that the United Nations can bring to bear in a range of counter-terrorism capacity-building fields, which can complement bilateral and regional initiatives. We also see how working through United Nations agencies and programmes can offer the Group of Eight and other countries a useful platform upon which to build counter-terrorism cooperation.

4. We welcome the positive developments within the United Nations system over the past few years, including the recent institutionalization of the United Nations Counter-Terrorism Task Force Support Office in New York, the increased engagement by a number of United Nations counter-terrorism actors in the field and the heightened interest on the part of both recipient and donor countries in working with the relevant United Nations counter-terrorism actors.

5. We are encouraged by the increasingly targeted approach that United Nations entities, in particular its Counter-Terrorism Committee and Counter-Terrorism Executive Directorate, have adopted.

6. We welcome the restructuring of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC), which includes placing more experts in the regional and local UNODC offices in order to better integrate counter-terrorism activities into the wider UNODC regional programming. We believe this will allow UNODC to respond more effectively to the technical assistance needs of the United Nations membership to address a range of interrelated security challenges, including terrorism.

7. The United Nations has grown increasingly adept in developing training and other capacity-building programmes to address specific regional and subregional counter-terrorism needs as part of an effort to make them more connected to the day-to-day work of national counter-terrorism practioners.

8. In order to maximize the impact of this increased United Nations counter-terrorism engagement, we are committed to working with the United Nations and other partners to ensure that the organization's counter-terrorism programmes are more coherent and better linked with bilateral and regional counter-terrorism activities.

9. Individual United Nations counter-terrorism actors have played important, and successful, roles. We believe, however, that the current approach to countering terrorism at the United Nations can be too "stove-piped" and insufficiently linked with the Organization's other institution-building efforts. More holistic, coordinated thinking on these issues is needed to make the Organization's work in this field even more relevant and effective. We look forward to continuing to work with partners, including within the United Nations Secretariat and its newly established Counter-Terrorism Implementation Task Force Support Office, to stimulate this thinking.

10. The placement of the Task Force Support Office within the United Nations Department of Political Affairs offers a unique opportunity for both the United Nations and its Member States to move beyond viewing the role of the United Nations in counter-terrorism through the prisms of the individual bodies that make up the United Nations counter-terrorism architecture and towards viewing it as part of wider United Nations efforts to address political instability and institutional weakness in specific countries and regions.

11. As we continue to look at how the various United Nations counter-terrorism capacity-building tools can be best leveraged in the context of wider efforts to address peace and security challenges in priority countries and regions, we encourage the United Nations to continue to focus more attention on ensuring that the key United Nations counter-terrorism actors are engaging both with each other and with donor and recipient countries in a more strategic, coordinated and timely manner.

12. We encourage the United Nations to develop a nimble, bureaucratically light approach that can respond quickly to emerging need and help address situations that require urgent attention.

13. This means, for example, having the United Nations: (a) identify where its comparative advantages lie in addressing gaps in a particular country or region; (b) determine which United Nations actors can usefully contribute in filling gaps and in minimizing duplication among the different United Nations entities; (c) develop United Nations capacity-building project proposals as needed; and (d) approach donors in a coordinated manner to seek funding and other support for these projects.

14. We believe that the now fully institutionalized Support Office could play a leading role in developing and implementing this new approach, starting by focusing the Task Force's attention on country-specific and region-specific issues.

15. We also encourage the Support Office to provide a United Nations platform for practioner-to-practioner and expert-to-expert dialogues at the regional, subregional, and cross-regional levels. These dialogues could focus on topical counter-terrorism issues, which either cut across existing United Nations counter-terrorism mandates or for which there is currently no home; the goal would be cross-fertilization of expertise, experiences and ideas. Examples of such topics might include: the rehabilitation of terrorists, the nexus between counter-terrorism and development, the nexus between crime and terrorism, countering violent extremism and the economic impact of terrorism.

Regional and subregional organizations and other relevant organizations

Asia-Pacific Economic Cooperation

The Asia-Pacific Economic Cooperation (APEC) acknowledges the importance of counter-terrorism as a key issue in its agenda. During the meeting of APEC leaders in 2009, members declared that they recognized the importance of building capacity to counter terrorism and welcomed the work of APEC in areas such as trade security, aviation security, anti-terrorist protection of energy infrastructure, countering terrorism financing, fighting cyber-terrorism, protecting the food supply against terrorist contamination and emergency preparedness.

Association of Southeast Asian Nations (ASEAN)[a]

1. The Association of Southeast Asian Nations (ASEAN) has entered into a number of agreements in the fields of counter-terrorism, transnational crime and non-traditional security threats with several countries and organizations, including Australia, the European Union, India, Japan, the Russian Federation and the United States of America. ASEAN also strengthens cooperation to build security, stability and peace, especially in the region and more broadly in the world, including through the Treaty on Mutual Legal Assistance in Criminal Matters, the ASEAN Convention on Counter-Terrorism and various partnerships in the eradication of transnational crimes that include the eradication of terrorism. The commitment of ASEAN in combating transnational crime is reflected in the ASEAN Declaration on Transnational Crime, the adoption of ASEAN Plan of Action to Combat Transnational Crime and the work programme to implement the plan of action. In 2001, ASEAN adopted its Declaration on Joint Action to Counter Terrorism, and the effort to combat terrorism was strengthened even more by the signing of the ASEAN Convention on Counter-Terrorism in 2007. The Convention provides a strong legal basis for the increasing of cooperation in preventing and combating terrorism. In 2009, ASEAN agreed on ASEAN Comprehensive Plan of Action on Counter-Terrorism, which is part of the implementation of ASEAN community blueprint on political security in the fight against terrorism. ASEAN has close cooperation with United Nations bodies, including the Counter-Terrorism Committee Executive Directorate and the United Nations Office on Drugs and Crime, in strengthening capacity-building to counter terrorism.

2. The ASEAN Comprehensive Plan of Action on Counter-Terrorism includes two articles concerning terrorist financing, article 12 on enhancement of the capabilities of and the cooperation among financial intelligence units of ASEAN Member States, particularly on matters related to combating terrorist financing; and article 13 on the enhancement of cooperation among the intelligence communities, law enforcement agencies and financial supervisory authorities of ASEAN Member States on matters related to combating terrorist financing.

[a] Input received from Indonesia.

Asia-Europe Meeting[a]

1. There have been eight Asia-Europe Meeting (ASEM) Counter-Terrorism Conferences since 2003, as part of a continuous effort to strengthen Asia-Europe mutual cooperation through discussion and exchange of experiences about the subject by engaging in a dialogue among the relevant political authorities and experts on counter-terrorism.

2. At the seventh ASEM Conference on counter-terrorism, held in Manila on 22 and 23 June 2009, the leading role of the United Nations in the fight against terrorism was recognized and its support for the United Nations Global Counter-Terrorism Strategy reaffirmed, including the further institutionalization of the Counter-Terrorism Implementation Task Force. ASEM and other international, regional, subregional organizations and forums play a key role in the dissemination of best practices and the implementation of the Strategy through increased coordination with the United Nations. The Conference supported the full implementation of the Strategy, in close cooperation with the United Nations Secretariat. ASEM continues efforts to address conditions conducive to the spread of terrorism, including poverty and lack of education, while promoting the peaceful settlement of conflicts, respect for human rights, the rule of law and the promotion of inter-faith, intercultural, and inter-civilization dialogue. The Conference focused on enhancing the capacities of ASEM partner countries to prevent and combat terrorism, especially with relation to the transportation sector. The Conference also underscored the importance of strengthening capacity-building efforts of the States through increased cooperation and the provision of technical assistance.

Collective Security Treaty Organization

[Original: Russian]

1. The Collective Security Treaty Organization (CSTO) attaches great importance to combating international terrorism and extremism.

2. On 5 September 2008, the CSTO Collective Security Council adopted the 2008-2012 plan for collective measures by its member States to implement the United Nations Global Counter-Terrorism Strategy. Under the plan, CSTO member States will make consolidated efforts, using their national capacities, for the practical implementation of the United Nations Global Counter-Terrorism Strategy endorsed by the General Assembly on 8 September 2006.

3. In the context of the tasks outlined in the plan, CSTO is taking practical steps to establish and improve the system for countering terrorism and extremism.

4. A major step forward in that process was the decision, taken at a special session of the Collective Security Council held on 4 February 2009, to establish a CSTO collective operational response force, and the signature of the relevant international regulations at the Council's regular session held on 14 June 2010. The response force is part of the constant preparedness of the forces and resources of the Organization's collective security system. In addition to providing military security, the response force will participate in action to combat international terrorism and illicit trafficking in narcotics, weapons and ammunition, and other forms of transnational organized crime. The skills of the special units of the response force

were developed during exercises conducted in Kazakhstan in September 2009 and in the Russian Federation in June 2010.

5. By a decision of 5 June 2009, the Organization's Committee of Secretaries of Security Councils agreed on a list of organizations considered to be terrorist and extremist organizations in CSTO member States. The Organization's competent body recommended taking this list into account when cooperating in efforts to combat terrorism and extremism, and also recommended exchanging information on matters of mutual interest.

6. The CSTO leadership is particularly focused on identifying persons in respect of whom there is reliable evidence of involvement in terrorist and other criminal activities, and on preventing them from gaining access to the territories of the Organization's member States. The Organization's measures to prevent illegal migration are implemented by the Coordinating Council of heads of competent authorities of CSTO member States, in accordance with the CSTO plan of action for the period until 2012 for the establishment of a collective system to prevent the illegal migration of third country nationals, approved by the Collective Security Council on 14 June 2009. Consultations are held regularly to share information about the issuance of entry and transit visas to nationals of third countries that are potential sources of illegal migration; experience is also exchanged on establishing a new generation of national passports and visas that use biometric information to identify persons intending to travel abroad.

7. Every year the competent bodies of CSTO member States conduct preventive training operations, such as operation "Nelegal", to counter illegal migration and human trafficking. These operations involve joint action to prevent third country nationals from crossing borders illegally, for example by using forged documents. In the period from 15 March to 15 April 2009, channels for illegal migration through the territories of CSTO member States to European countries were identified and closed. Criminal proceedings were instituted in 153 cases for the organization of illegal migration; 144 criminal cases were brought for human trafficking; and 6,108 criminal cases were brought for other offences identified during the operation, including 1,736 offences related to illicit drug trafficking and 247 offences involving trafficking in arms.

8. In the information sphere, the Organization conducts joint special exercises such as the "Proksi" operation, which seeks to detect and suppress extremist websites and cut off the resources used to promote national, religious or racial hatred.

9. The CSTO Collective Security Council, the Organization's other statutory bodies and the CSTO secretariat attach great importance to the provision of logistical support to the law enforcement agencies and special services directly involved in countering the terrorist threat, and to the training of counter-terrorism specialists and experts. The following agreements were signed in October 2007 and September 2008, and subsequently entered into force in 2009: an agreement on concessionary terms for the provision of specialized technology and resources for law enforcement agencies and special services in CSTO member States; and an agreement on training for law enforcement officials, firefighters, emergency rescue teams and special service staff in CSTO member States. Mechanisms are currently being established to implement these agreements.

Counter-Terrorism Action Group

1. The Counter-Terrorism Action Group was formed in 2003, primarily to support the Security Council Counter-Terrorism Committee by coordinating efforts to build the capacities and political will of third countries to implement Security Council resolution 1373 (2001). Although the Action Group's mandate is focused on the implementation of resolution 1373 (2001), much of its work also supports the implementation of the United Nations Global Counter-Terrorism Strategy given the overlap between the two United Nations instruments. The Action Group reaffirms its commitment to the implementation of the Strategy, and assures the United Nations of its continued and unwavering support in the efforts of the Counter-Terrorism Implementation Task Force and other United Nations agencies in condemning terrorism in all its forms and implementing the Plan of Action contained in General Assembly resolution 60/288.

Measures to address the conditions conducive to the spread of terrorism

2. The Action Group has identified countering violent extremism and radicalization leading to violence as key priorities for its work. Members of the Group are deeply concerned about radicalization leading to violence, and underscore the need for concerted efforts and enhanced coordination in combating violent extremism. Member States are undertaking measures to address the challenges posed by environments that are conducive to the spread of terrorism and to make positive contributions to address the socio-economic factors that contribute to the spread of terrorism and violent extremism.

Measures to prevent and combat terrorism

3. Member States of the Counter-Terrorism Action Group are committed to the prevention and combating of terrorism. Its Members put this commitment into practice by providing assistance to States in implementing Security Council resolution 1373 (2001) in the form of capacity-building assistance, be it funding, equipment, expertise or training facilities. Member States of the Action Group meet regularly to: review requests, analyse requirements and prioritize needs for capacity-building assistance; exchange information on needs assessments carried out by Members; hold local coordination meetings of officials from missions in priority recipient countries, involving host Government and local officials responsible for capacity-building assistance; seek to increase counter-terrorism capacity-building assistance and coordination, identifying cases of successful implementation of counter-terrorism capacity-building efforts; share best practices and lessons learned; and facilitate joint initiatives by members in selected countries.

4. Member States of the Action Group are engaged in many countries worldwide, providing legal, technical and financial assistance to build counter-terrorism capacity at the local, national and regional levels. Member States provide funding, equipment, expertise and training in support of efforts to, inter alia: train security officials; bolster customs and border controls (including land, maritime, and aviation security); combat illicit arms and drug trafficking; raise awareness about terrorist threats and encourage enhanced cooperation between States at both operational and political levels; provide assistance in the judicial sector, including law enforcement and training of judges and prosecutors, and strengthening legal frameworks; support training facilities and institutes in the legal and security

sectors; combat the financing of terrorism and money-laundering and strengthen financial institutions; produce detailed assessments, including needs assessments and counter-terrorism capabilities assessments; and support programmes aimed at promoting dialogue, outreach and understanding so as to combat the spread of violent extremism and radicalization leading to violence.

5. Member States meet regularly to: (a) review requests, analyse requirements and prioritize needs for capacity-building assistance; (b) exchange information on needs assessments carried out by Members; and (c) bring together local officials from missions in priority recipient countries, involving host Government and local officials responsible for capacity-building assistance. The Action Group works to implement the Strategy in its efforts to increase counter-terrorism capacity-building assistance and coordination; identify cases of successful implementation of counter-terrorism capacity-building efforts; share best practices and lessons learned; and facilitate joint initiatives by Members in selected countries and regions. Members recognize the importance of building local and national political will, and encourage States to take ownership of counter-terrorism measures.

6. At its meeting in Vancouver in April 2010, members of the Action Group agreed to a set of priorities to guide the Group's counter-terrorism capacity-building efforts. The objective in developing these priorities was to focus the efforts of the Group on improving coordination and encouraging concerted, coordinated activities The priorities identified were Yemen, the Sahel, South and South-east Asia, transportation security, and countering violent extremism and radicalization. This list is intended to be flexible to respond to changing threats in geographic and thematic areas.

7. Members of the Action Group assist other countries to build counter-terrorism capacity in a manner consistent with international norms and standards, including those related to protecting human rights. They focus on countries and regions that they consider priorities, and on areas where they have expertise. This is particularly evident at regular "local" meetings, which bring together embassy officials from member States in selected capitals, providing a particularly valuable opportunity for members to discuss challenges and successes of counter-terrorism capacity-building activities from an on-the-ground perspective. A recent example was the meeting held in Sana'a, Yemen, hosted by the United Kingdom, which convened partners in a priority country, allowing for fruitful information-sharing and a discussion of the pertinent security threats in that country. Local meetings of the Group often benefit from the participation of regional organizations and non-governmental organizations which share knowledge and intensify coordination on the ground, feeding into the strategic discussions and priorities of member States at their capitals.

Measures to build State capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

8. Members of the Action Group reaffirm the need for enhanced international cooperation in counter-terrorism and note, in particular, the important role played by the United Nations system in promoting such cooperation. The members recognize the unique expertise that the United Nations can bring to bear in a range of counter-terrorism capacity-building fields. This expertise can complement bilateral and regional initiatives. They also see how working through United Nations agencies and programmes can offer a useful platform upon which to build counter-terrorism

cooperation. With this in mind, members interact regularly with the relevant members of the Counter-Terrorism Implementation Task Force, in particular the Counter-Terrorism Executive Directorate, and the United Nations Office on Drugs and Crime (UNODC). These two entities, in addition to the Task Force Support Office, are invited and actively participate in all meetings of the Action Group. Cooperation and coordination with these groups occurs not just at meetings but also intersessionally, with a view to sharing information on the activities of the groups, providing policy guidance and coherence where possible, and facilitating an open and ongoing dialogue.

9. The Action Group looks forward to working more closely with the Task Force, particularly in addressing its own geographic and thematic priorities. To assist in this effort, the members of the Group encourage the Task Force to focus more attention on ensuring that its members engage both with each other and with the members of the Group (and those States receiving assistance) in a more strategic, coordinated and timely manner. In addition, the Group encourages the Task Force to focus more attention on country and region-specific issues.

10. In addition, the Action Group encourages the Task Force to identify additional opportunities for United Nations-sponsored practitioner-to-practitioner and expert-to-expert dialogues at the regional, subregional and cross-regional levels. These dialogues could focus on topical counter-terrorism issues of a regional or thematic nature, which either cut across existing United Nations counter-terrorism mandates or for which there is currently no home.

Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

11. Members of the Action Group recognize that robust counter-terrorism efforts can only succeed when they make respect for human rights and the rule of law central to their efforts. Members appreciate and unequivocally support the work undertaken by the Counter-Terrorism Committee in promoting efforts to ensure that national counter-terrorism measures are grounded in the respect for human rights and the rule of law. Members also strongly encourage enhanced cooperation between United Nations agencies and counter-terrorism actors in the promotion and integration of human rights in all their activities.

Recommendations for the way forward

12. The Action Group is pleased with the increasingly targeted approach that the United Nations, particularly its Counter-Terrorism Committee and Counter-Terrorism Executive Directorate, has adopted. We welcome the restructuring of the UNODC Terrorism Prevention Branch, which includes placing more experts in the regional and local UNODC offices in order to better integrate counter-terrorism activities into the wider UNODC regional programming. As we continue to look at how the various United Nations counter-terrorism capacity-building tools can be best leveraged in the context of wider efforts to address peace and security challenges in priority countries and regions, we encourage the United Nations to continue to focus more attention on ensuring that the key United Nations counter-terrorism actors are engaging both with each other and with donor and recipient countries in a more strategic, coordinated and timely manner.

North Atlantic Treaty Organization

1. The North Atlantic Treaty Organization (NATO) strongly supports the United Nations Global Counter-Terrorism Strategy adopted by the General Assembly in 2006, and acknowledges that terrorism continues to be one of the most serious threats to international security, and that tackling it requires a multifaceted, international and collaborative approach. NATO strongly condemns terrorism, whatever its motivations or manifestations and is committed to contributing to the full implementation of Security Council resolution 1373 (2001).

2. With regard to measures to address the conditions conducive to the spread of terrorism, NATO promotes dialogue and cooperation on defence against terrorism within its own forums and structures and in a variety of partnership frameworks. The 50-nation Euro-Atlantic Partnership Council (EAPC) Partnership Action Plan Against Terrorism, adopted at the NATO Summit in Prague in 2002, focuses on practical cooperation in the areas of intelligence sharing, civil emergency planning and relevant aspects of border security and management. In that context, other practical cooperation measures are the NATO-Russian Federation Council, the NATO-Ukraine Commission and the NATO-Georgia Commission, as well as partners such as Australia, New Zealand, Japan and the Republic of Korea. NATO also has a mechanism for exchange of information with partner States in the fight against terrorism, which includes economic and financial aspects of defence against terrorism. NATO's own activities are supplemented and complemented by those of the NATO Centre of Excellence for Defence against Terrorism.

3. In connection with measures to prevent and combat terrorism, NATO has undertaken to modernize its forces and capabilities, including in the area of defence against terrorism, developing new cutting-edge technologies to protect troops, civilians and critical infrastructure against the kind of attacks perpetrated by terrorists, for example suicide attacks and rocket attacks against aircraft and helicopters. The NATO Conference of National Armaments Directors, through its many bodies and links to national industry and scientific communities, has launched numerous programmes, projects and activities to improve overall NATO military capabilities, including capabilities to defend against terrorism. NATO also has a Weapons of Mass Destruction Centre, which seeks to: strengthen dialogue and common understanding among member countries on issues connected to the threat of weapons of mass destruction; strengthen consultations on non-proliferation arms control and disarmament issues; assess risks; and support defence efforts that serve to improve the Alliance's preparedness to respond to the risks of weapons of mass destruction and their means of delivery.

4. Under Operation Active Endeavour, NATO's only article 5 operation, NATO ships patrol the Mediterranean and monitor shipping to help detect, deter and protect against terrorist activity. This activity is further enhanced by the support of partner countries. NATO's mission in Afghanistan, the International Security Assistance Force, continues to assist the Government of Afghanistan with creating and maintaining a secure environment across all of Afghanistan, thus helping to create conditions that discourage the growth of terrorism.

5. NATO also uses its airborne early warning and control aircraft as reinforcement of national air policing capabilities — a valuable contribution to effective air policing which is a precondition for responding to a renegade threat.

6. NATO's measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations focuses on partnership mechanisms, in particular in the framework of the Partnership Action Plan against Terrorism and individual partnership action plans, which regularly includes objectives aimed at compliance with and implementation of relevant United Nations resolutions on countering terrorism, terrorism financing and money-laundering. This partnership cooperation includes training and education measures aimed at improving inter-agency coordination.

7. NATO promotes the adherence to internationally recognized human rights standards in all its partnership relations, and attaches great importance to the objectives of the Alliance of Civilizations established under the auspices of the United Nations.

Organization for Security and Cooperation in Europe

1. Terrorism continues to be one of the most serious threats to the peace and security of the participating States of the Organization for Security and Cooperation in Europe (OSCE), and activities and measures to prevent and combat terrorism have been on the OSCE agenda for many years. OSCE looks upon the United Nations Global Counter-Terrorism Strategy as providing guidance for the OSCE counter-terrorism activities and has adopted a number of decisions concerning the measures outlined in the Strategy.

2. Based on its comprehensive approach of linking the political-military, economic and environmental as well as the human dimensions of security, OSCE has developed a framework for a comprehensive counter-terrorism action. This includes a number of political commitments as well as concrete measures on strengthening political support, capacity-building, addressing gaps and threats, fostering international cooperation and protecting human rights.

3. To facilitate better information sharing among OSCE participating States and relevant international, regional and specialized organizations, OSCE has established its Counter-Terrorism Network, a newsletter which acts as a conduit for sharing assistance information and training opportunities, aimed at helping to identify, overlap and address outstanding counter-terrorism assistance needs. Counter-terrorism news from the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999), the Council of Europe Counter-Terrorism Task Force, the North Atlantic Treaty Organization (NATO) and the Organization of American States (OAS) Inter-American Committee against Terrorism are regularly circulated through the Network. The OSCE structures and institutions are actively engaged in implementing each of the four pillars outlined in the Strategy.

4. With regard to the activities of the OSCE secretariat, the Action against Terrorism Unit coordinates OSCE counter-terrorism activities and is the focal point for international cooperation in this area.

5. OSCE promotes the international legal framework against terrorism in line with relevant OSCE commitments with its partners, most recently the Athens (2009) ministerial decision, which called on "OSCE participating States to consider becoming party to the following 2005 instruments: Amendment to the Convention

on the Physical Protection of Nuclear Material; the Protocol to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and the Protocol to the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf.

6. The Action against Terrorism Unit, in close cooperation with UNODC Terrorism Prevention Branch, has been promoting the ratification and legislative implementation of all universal anti-terrorism conventions and protocols. In cooperation with UNODC, upon request, technical assistance is provided to participating States in enhancing their capabilities to review existing legislation or drafting new legislation necessary to ratify and implement the universal anti-terrorism instruments. Since 2005, in partnership with UNODC, OSCE has organized 13 events promoting international cooperation in criminal matters related to terrorism.

7. The OSCE travel document security programme facilitates multifaceted, target-oriented assistance across the entire spectrum of travel and identity document security. The OSCE offers an integrated international platform for implementation of international travel document security standards, in particular those of long-standing partners such as the International Civil Aviation Organization (ICAO), INTERPOL, as well as the International Organization for Migration (IOM). The objectives of the programme are to: upgrade technological security features of travel documents; implement the ICAO Minimum Security Standards for Handling and Issuance of Machine-Readable Passports and other Travel Documents; enhance capacities and improve cross-border cooperation in detecting and preventing the use of fraudulent and counterfeit travel documents; and reduce the possibility of such loss and stolen passports being used for terrorist and other criminal purposes by implementing the commitment to report lost and stolen travel documents to INTERPOL and facilitating real-time use of INTERPOL databases by first-line border control and other law enforcement officers. In implementing the OSCE ministerial decision, the Action against Terrorism Unit organized an OSCE workshop in Vienna, in May 2010, on promoting the ICAO "public key directory". The directory is a single multilateral technical platform that allows border controls to verify the authenticity of biometric and biographical data stored on the chips of e-passports. From the latest figures by ICAO, it is estimated that 54 OSCE participating and partner States are now issuing e-passports.

8. OSCE is addressing the issue of money-laundering and financing of terrorism with its main international partners, with whom the OSCE Office of the Coordinator of Economic and Environmental Affairs has developed a range of national and regional activities aimed at combating this issue using a two-phased approach. The first phase constitutes an exercise in awareness-raising and needs-assessment; the second phase aims to develop and strengthen the legal framework, assist in its implementation and conduct capacity-building with specific training elements. Regional activities aimed at both capacity-building and improving regional cooperation were also organized.

9. In the area of transport security, OSCE cooperates with the World Customs Organization (WCO) Framework of standards to secure and facilitate global trade. The Action against Terrorism Unit has sponsored three national workshops on the WCO Framework and is raising awareness among the authorities of participating States about the vulnerability of container shipments to terrorist attacks and facilitated information exchange on fast-moving developments related to

international efforts to improve container security. At the subregional level, OSCE organized a workshop on an integrated approach to supply chain security for the Mediterranean region in December 2009, in Malta, in line with the OSCE mandate to serve as a platform for coordination for the development and application of an integrated approach to supply chain security.

10. OSCE has also addressed the issue of counter-incitement to commit terrorist acts and has organized four organization-wide events on combating the use of the Internet for terrorist purposes, a topic which constitutes an integral part of the OSCE effort to address the violent extremism and radicalization that lead to terrorism. In this regard, the Ministerial Council in its decision adopted in Helsinki in 2008, called upon participating States to make use of the OSCE executive structures in countering violent extremism and radicalization that lead to terrorism in their respective countries. In October 2008, OSCE organized a workshop to better identify the steps in the process of countering radicalization leading to terrorism and the appropriate responses. The OSCE Madrid Ministerial statement on supporting the Global Counter Terrorism Strategy recommended that the Permanent Council consider how OSCE can contribute to the development of a better understanding of the phenomena of violent extremism and radicalization that lead to terrorism through the sharing of national practices. OSCE has proposed holding a subregional seminar in Central Asia and plans to develop a number of events focusing on the role of women in the radicalization process as well as their involvement in terrorism.

11. The organization considers public-private partnerships to be essential for countering terrorism in many areas and has organized a number of events aimed at further exploring the potential for such cooperation as well as facilitating public-private dialogue and showcasing concrete good practices. In addition, OSCE has promoted public-private partnerships at the national level, and it continues to support the work of the United Nations Interregional Crime and Justice Research Institute (UNICRI) within the framework of the Counter-Terrorism Implementation Task Force Working Group on the Protection of Vulnerable Targets. The Action against Terrorism Unit has also been striving to mainstream the promotion of public-private partnerships in a number of its activities in February 2010, the Action against Terrorism Unit organized a "Public-Private Expert Workshop on Protecting Non-Nuclear Critical Energy Infrastructure from Terrorist Attacks", with a view to raising awareness, facilitating the exchange of information and good practices and promoting multi-stakeholder cooperation.

12. The OSCE Strategic Police Matters Unit supports policing in all participating States as part of the rule of law, providing assistance in police capacity- and institution-building and improving police performance with the broader objective of strengthening national criminal justice systems. The Unit recently addressed regional criminal cooperation in tracing and confiscating of criminal assets. Both the Strategic Police Matters Unit and the Action against Terrorism Unit have organized three meetings, the most recent one being the Police Experts Meeting in October 2008.

13. The mandate and activities of the OSCE Office for Democratic Institutions and Human Rights are focused, inter alia, on ensuring respect for human rights and the rule of law as the fundamental basis of the fight against terrorism. The principal institution of OSCE tasked with assisting participating States in implementing their

human dimension commitments, and thereby enhancing security in the region, is the Office for Democratic Institutions and Human Rights. Subsequent OSCE documents have placed particular importance on the need to respect international law and, in particular, international human rights while combating terrorism. The Bucharest Plan of Action for Combating Terrorism (2001) aimed at establishing a framework for comprehensive OSCE action to be taken by participating States, and the organization as a whole, to combat terrorism, fully respecting international law, including the international law of human rights and other relevant norms of international law. Similarly, the OSCE Charter on Preventing and Combating Terrorism (2002) emphasized the need to address conditions that may foster and sustain terrorism, in particular by fully respecting democracy and the rule of law. In accordance with the Bucharest Plan of Action and subsequent documents, the Human Rights and Anti-Terrorism Programme of the Office for Democratic Institutions and Human Rights offers a package of activities on preventing and combating terrorism through strengthening democratic institutions, the rule of law and respect for human rights in the OSCE region as a whole. The programme offers OSCE-wide projects as well as specific projects to better understand and address specific national challenges, for example, in the framework of prevention of radicalization and violent extremism that lead to terrorism, the Office organized meetings on understanding how counter-terrorism measures and human rights protections interact to contribute to or counteract radicalization leading to violent extremism or terrorism; and the Office has also organized technical workshops on solidarity with victims of terrorism in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Council of Europe and the European Commission to exchange experiences in this area. Workshops and working-level meetings have also been held with non-governmental organizations and civil society representatives on their role in the prevention of terrorism. The Office monitors counter-terrorism practices for conformity with international human rights standards and continues to update its online legislative database containing legislation of the OSCE participating States pertaining to human dimension issues, including those related to combating terrorism (see www.legislationonline.org).

14. The OSCE representative on the freedom of the media has been tasked with monitoring the drafting of legislation on the prevention of the abuse of information technology for terrorist purposes, ensuring that such laws are consistent with commitments regarding freedom of expression and the free flow of information.

Shanghai Cooperation Organization

On the measures of the Shanghai Cooperation Organization to tackle the issues of connection between counter-terrorism and the proliferation of weapons of mass destruction

1. On its counter-terrorism agenda, the Shanghai Cooperation Organization has continuously focused its attention on the issues of effective counteraction against proliferation of weapons of mass destruction and the potential perpetration of terrorist acts at nuclear facilities.

2. Under the auspices of the United Nations and other international organizations, the member States of the Shanghai Cooperation Organization are actively involved in the process of counter-terrorism cooperation and the implementation of United

Nations Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction.

3. Declarations signed at the summits of leaders of the Shanghai Cooperation Organization note that it consistently stands up for reinforcement of the strategic stability and international regimes on non-proliferation of weapons of mass destruction.

4. In counter-terrorism cooperation, the member States of the organization have taken measures aimed at preventing acts of nuclear and radiation terrorism and have provided information for search operations targeting radical individuals and organized criminal groups.

5. Considering the significance and need to focus on the root causes of the use of weapons of mass destruction by terrorists, this task is being carried out by the regional counter-terrorism structure of the Shanghai Cooperation Organization, within the framework of the programmes of cooperation of the member States on fighting terrorism, separatism and extremism for 2007-2009 and 2010-2012, as well as in line with the annual working plans of the Executive Committee of the Regional Counter-Terrorism Structure. As regards fulfilment of the aforementioned programmes and plans, measures are being implemented to further strengthen and improve the universal legal base for fighting this kind of terrorism, as well as for the adoption of a practical approach towards counter-terrorism cooperation among the member States of the organization.

6. The protected databank of the Regional Counter-Terrorism Structure is being used, and actively updated, with the aim of ensuring effective information-sharing among the competent agencies of the member States in the field of fighting terrorism, separatism and extremism, including the proliferation of weapons of mass destruction.

7. In 2008, the member States signed an agreement in the field of combating the illegal circulation of arms, ammunition and explosives, which contains a detailed mechanism to implement measures to disclose, prevent and track down criminal activities, as well as the illegal transnational circulation of components of weapons of mass destruction.

8. Sharing of information and experience in organizing joint search operations is being conducted with the aim of fulfilling these tasks.

9. Every year member States carry out mutilateral counter-terrorism exercises, some aimed at counteracting potential acts of nuclear terrorism. For example, the competent services and the Institute of Nuclear Physics of Kazakhstan conducted an international operation and tactics exercise (Atom-anti-terror-2008) as part of an international programme "Global Initiative on Combating Acts of Nuclear Terrorism".

10. The competent services of member States represented at the Commonwealth of Independent States (CIS) Counter-terrorism Centre have carried out a range of concerted interdepartmental activities and special operations aimed at disclosing and tracking down terrorist crimes, trafficking in arms, ammunition, virulent, poisonous, toxic, radioactive and explosive substances and the illegal production and circulation of components of weapons of mass destruction.

11. Through their respective mechanisms, member States share information on their experience in conducting joint special border operations aimed at neutralizing terrorist threats and combating transnational trafficking of weapons of mass destruction.

12. The Regional Counter-Terrorism Structure and the Executive Directorate of the Counter-Terrorism Committee of the Security Council have been considering signing a memorandum of understanding. Joint activities, within the framework of the mandate of the Counter-Terrorism Committee on interaction in the field of counter-terrorism, and joint measures, based on the outcome of the sixty-fourth session of the General Assembly, are being discussed. Agreements have been reached on conducting coordination over the issues of sharing information, staging counter-terrorism exercises, conferences and seminars on the fight against terrorism, separatism and extremism.

13. In compliance with the joint declaration on cooperation between the Shanghai Cooperation Organization and the United Nations Secretariat, signed by the Secretaries-General of both organizations on 5 April 2010 in Tashkent, the Executive Committee intends to submit a list of joint activities for consideration.

14. The Regional Counter-Terrorism Structure Executive Committee has held meetings with programme coordinators from the Counter-terrorism Unit of the secretariat of the Collective Security Treaty Organization and from OSCE-sponsored projects in Uzbekistan. On the invitation of the Collective Security Treaty Organization, representatives of the Regional Counter-Terrorism Structure Executive Committee have taken part in a series of international seminars and conferences on the issue of combating the proliferation of weapons of mass destruction staged by the OSCE counter-terrorism programme.

15. In accordance with the memorandum of understanding between the Shanghai Cooperation Organization and the ASEAN secretariats, signed on 21 April 2005, the Regional Counter-Terrorism Structure Executive Committee has initiated proposals to establish cooperation with the permanent bodies of ASEAN and has invited representatives of its secretariat and counter-terrorism centre to participate in its summits and activities. The Director of the Executive Committee of the Regional Counter-Terrorism Structure is considering paying a visit to ASEAN in Jakarta.

South Asian Association for Regional Cooperation Secretariat

1. Since the fundamental principles enshrined in the Charter of the South Asian Association for Regional Cooperation Secretariat (SAARC) are to be "desirous of promoting peace, stability and progress in the region", the activities, policies and strategies of SAARC necessarily revolve around these principles. At various SAARC summits, Heads of State or Government have reiterated the fact that concerted efforts have to be taken by Member States to combat terrorism as it affects the security and stability of SAARC member States.

2. The thirty-first session of the Council of Ministers, (Colombo, Sri Lanka, 27 and 28 February 2009) adopted a "SAARC Ministerial Declaration on Cooperation in Combating Terrorism". At the thirty-seventh session of the Standing Committee (Bhutan, 25 and 26 April 2010), the Committee welcomed the offer of India to host the High-level Group of Eminent Experts to Strengthen SAARC

Anti-Terrorism Mechanism, as recommended in the SAARC Ministerial Declaration in Combating Terrorism. The Standing Committee further agreed to develop and adopt a symbol representing the unity among SAARC members in their fight against terrorism, which was approved at the thirty-seventh session of the Standing Committee (Thimphu, 25 and 26 April 2010), which also decided to observe 2 October each year as the SAARC Day of Non-Violence. The thirty-second session of the Council of Ministers (Thimphu, 27 April 2010) endorsed the proposal from the leader of the delegation of Maldives to include "Maritime security and piracy" in the work of the mechanism.

3. At the sixteenth SAARC summit (Thimphu, 28 and 29 April 2010), Heads of State or Government strongly condemned terrorism in all its forms and manifestations and expressed deep concern over the threat which terrorism continues to pose to peace, security and economic stability of the South Asian region. They reiterated their firm resolve to root out terrorism and recalled the Ministerial Declaration on Cooperation in Combating Terrorism adopted at the thirty-first session of the Council of Ministers in Colombo. They emphasized that the linkages between terrorism, illegal trafficking in drugs and psychotropic substance, illegal trafficking of persons and firearms all continue to remain a matter of serious concern, and reiterated their commitment to address these problems in a comprehensive manner. The leaders emphasized the need to strengthen regional cooperation to fight terrorism and transnational organized crime; reaffirmed their commitment to implement the SAARC regional Convention on Suppression of Terrorism and its additional protocol and the SAARC Convention on Narcotic Drugs and Psychotropic Substances; and re-emphasized the importance of coordinated and concerted response to combat terrorism. The leaders also recognized the value of the proposed United Nations Comprehensive Convention on International Terrorism, noted the progress made during the recent round of negotiations and called for an early conclusion of the Convention.

4. Representatives of the SAARC secretariat attended the United Nations regional workshop for police officers and prosecutors in South Asia on effectively countering terrorism (Dhaka, 8-10 November 2009) and the United Nations regional seminar to promote cooperation in combating illicit small arms brokering in South and Central Asia (Kathmandu, 17-19 June 2009).

أهم قرارات مجلس الأمن
ذات الصلة بمكافحة الإرهاب

UNITED
NATIONS

S



Security Council

Distr.
GENERAL

S/RES/1269 (1999)
19 October 1999

RESOLUTION 1269 (1999)

Adopted by the Security Council at its 4053rd meeting,
on 19 October 1999

The Security Council,

Deeply concerned by the increase in acts of international terrorism which endangers the lives and well-being of individuals worldwide as well as the peace and security of all States,

Condemning all acts of terrorism, irrespective of motive, wherever and by whomever committed,

Mindful of all relevant resolutions of the General Assembly, including resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism,

Emphasizing the necessity to intensify the fight against terrorism at the national level and to strengthen, under the auspices of the United Nations, effective international cooperation in this field on the basis of the principles of the Charter of the United Nations and norms of international law, including respect for international humanitarian law and human rights,

Supporting the efforts to promote universal participation in and implementation of the existing international anti-terrorist conventions, as well as to develop new international instruments to counter the terrorist threat,

Commending the work done by the General Assembly, relevant United Nations organs and specialized agencies and regional and other organizations to combat international terrorism,

Determined to contribute, in accordance with the Charter of the United Nations, to the efforts to combat terrorism in all its forms,

Reaffirming that the suppression of acts of international terrorism, including those in which States are involved, is an essential contribution to the maintenance of international peace and security,

99-30392 (E)

1. Unequivocally condemns all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security;

2. Calls upon all States to implement fully the international anti-terrorist conventions to which they are parties, encourages all States to consider as a matter of priority adhering to those to which they are not parties, and encourages also the speedy adoption of the pending conventions;

3. Stresses the vital role of the United Nations in strengthening international cooperation in combating terrorism and, emphasizes the importance of enhanced coordination among States, international and regional organizations;

4. Calls upon all States to take, inter alia, in the context of such cooperation and coordination, appropriate steps to:

- cooperate with each other, particularly through bilateral and multilateral agreements and arrangements, to prevent and suppress terrorist acts, protect their nationals and other persons against terrorist attacks and bring to justice the perpetrators of such acts;

- prevent and suppress in their territories through all lawful means the preparation and financing of any acts of terrorism;

- deny those who plan, finance or commit terrorist acts safe havens by ensuring their apprehension and prosecution or extradition;

- take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts;

- exchange information in accordance with international and domestic law, and cooperate on administrative and judicial matters in order to prevent the commission of terrorist acts;

5. Requests the Secretary-General, in his reports to the General Assembly, in particular submitted in accordance with its resolution 50/53 on measures to eliminate international terrorism, to pay special attention to the need to prevent and fight the threat to international peace and security as a result of terrorist activities;

6. Expresses its readiness to consider relevant provisions of the reports mentioned in paragraph 5 above and to take necessary steps in accordance with its responsibilities under the Charter of the United Nations in order to counter terrorist threats to international peace and security;

7. Decides to remain seized of this matter.



Security Council

Distr.: General

28 September 2001

Resolution 1373 (2001)

Adopted by the Security Council at its 4385th meeting, on 28 September 2001

The Security Council,

Reaffirming its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C. and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,

Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

Deeply concerned by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

Calling on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

Recognizing the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

Reaffirming the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that all States shall:

(a) Prevent and suppress the financing of terrorist acts:

(b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;

(c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;

(d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

2. *Decides also* that all States shall:

(a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

(b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;

(c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;

(d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;

(e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

(f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;

(g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls* upon all States to:

(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

(c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

(d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;

(e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

(f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;

(g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

4. *Notes* with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard *emphasizes* the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

5. *Declares* that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and *calls upon* all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

7. *Directs* the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. *Expresses* its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

9. *Decides* to remain seized of this matter.

United Nations S/RES/1377 (2001)



Security Council

Distr.: General
12 November 2001

Resolution 1377 (2001)

Adopted by the Security Council at its 4413th meeting, on 12 November 2001

The Security Council,

Decides to adopt the attached declaration on the global effort to combat terrorism.

Annex

The Security Council,

Meeting at the Ministerial level,

Recalling its resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Declares that acts of international terrorism constitute one of the most serious threats to international peace and security in the twenty-first century,

Further declares that acts of international terrorism constitute a challenge to all States and to all of humanity,

Reaffirms its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed,

Stresses that acts of international terrorism are contrary to the purposes and principles of the Charter of the United Nations, and that the financing, planning and preparation of as well as any other form of support for acts of international terrorism are similarly contrary to the purposes and principles of the Charter of the United Nations,

Underlines that acts of terrorism endanger innocent lives and the dignity and security of human beings everywhere, threaten the social and economic development of all States and undermine global stability and prosperity,

Affirms that a sustained, comprehensive approach involving the active participation and collaboration of all Member States of the United Nations, and in accordance with the Charter of the United Nations and international law, is essential to combat the scourge of international terrorism,

Stresses that continuing international efforts to broaden the understanding among civilizations and to address regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which themselves are necessary to sustain the broadest possible fight against international terrorism,

Welcomes the commitment expressed by States to fight the scourge of international terrorism, including during the General Assembly plenary debate from 1 to 5 October 2001, *calls on* all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, and encourages Member States to take forward work in this area,

Calls on all States to take urgent steps to implement fully resolution 1373 (2001), and to assist each other in doing so, and *underlines* the obligation on States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism,

Expresses its determination to proceed with the implementation of that resolution in full cooperation with the whole membership of the United Nations, and *welcomes* the progress made so far by the Counter-Terrorism Committee established by paragraph 6 of resolution 1373 (2001) to monitor implementation of that resolution,

Recognizes that many States will require assistance in implementing all the requirements of resolution 1373 (2001), and *invites* States to inform the Counter-Terrorism Committee of areas in which they require such support,

In that context, invites the Counter-Terrorism Committee to explore ways in which States can be assisted, and in particular to explore with international, regional and subregional organizations:

- the promotion of best-practice in the areas covered by resolution 1373 (2001), including the preparation of model laws as appropriate,
- the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of resolution 1373 (2001),
- the promotion of possible synergies between these assistance programmes,

Calls on all States to intensify their efforts to eliminate the scourge of international terrorism.



Security Council

Distr.: General
20 December 2002

Resolution 1452 (2002)

Adopted by the Security Council at its 4678th meeting, on 20 December 2002

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001 and 1390 (2002) of 16 January 2002,

Expressing its determination to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Reaffirming its resolution 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism, in accordance with the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of paragraph 4 (b) of resolution 1267 (1999), and paragraphs 1 and 2 (a) of resolution 1390 (2002), do not apply to funds and other financial assets or economic resources that have been determined by the relevant State(s) to be:

(a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources, after notification by the relevant State(s) to the Committee established pursuant to resolution 1267 (1999) (hereinafter referred to as "the Committee") of the intention to authorize, where appropriate, access to such funds, assets or resources and in the absence of a negative decision by the Committee within 48 hours of such notification;

(b) necessary for extraordinary expenses, provided that such determination has been notified by the relevant State(s) to the Committee and has been approved by the Committee;

2. *Decides* that all States may allow for the addition to accounts subject to the provisions of paragraph 4 (b) of resolution 1267 (1999) and paragraphs 1 and 2 (a) of resolution 1390 (2002) of:

(a) interest or other earnings due on those accounts, or

(b) payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of resolutions 1267 (1999), 1333 (2000), or 1390 (2002),

provided that any such interest, other earnings and payments continue to be subject to those provisions;

3. *Decides* that the Committee shall, in addition to the tasks set forth in paragraph 6 of resolution 1267 (1999) and paragraph 5 of resolution 1390 (2002):

(a) maintain and regularly update a list of the States that have notified the Committee of their intent to apply the provisions of paragraph 1 (a) above in their implementation of the relevant resolutions and as to which there was no negative decision by the Committee; and

(b) consider and approve, if appropriate, requests for extraordinary expenses as provided for in paragraph 1 (b) above;

4. *Decides* that the exception provided for in paragraph 4 (b) of resolution 1267 (1999) will cease to have effect from the date of adoption of this resolution;

5. *Urges* Member States to take full account of the considerations set out above in their implementation of resolution 1373 (2001);

6. *Decides* to remain seized of the matter.



Security Council

Distr.: General
28 April 2004

Resolution 1540 (2004)

Adopted by the Security Council at its 4956th meeting, on 28 April 2004

The Security Council,

Affirming that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery,* constitutes a threat to international peace and security,

Reaffirming, in this context, the Statement of its President adopted at the Council's meeting at the level of Heads of State and Government on 31 January 1992 (S/23500), including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

Recalling also that the Statement underlined the need for all Member States to resolve peacefully in accordance with the Charter any problems in that context threatening or disrupting the maintenance of regional and global stability,

Affirming its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the United Nations Charter,

Affirming its support for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to these treaties to implement them fully in order to promote international stability,

---

* Definitions for the purpose of this resolution only:

Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

Non-State actor: individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of this resolution.

Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

04-32843 (E)
0432843

Welcoming efforts in this context by multilateral arrangements which contribute to non-proliferation,

Affirming that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes while goals of peaceful utilization should not be used as a cover for proliferation,

Gravely concerned by the threat of terrorism and the risk that non-State actors* such as those identified in the United Nations list established and maintained by the Committee established under Security Council resolution 1267 and those to whom resolution 1373 applies, may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery,

Gravely concerned by the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, and related materials,* which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security,

Recognizing the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security,

Recognizing that most States have undertaken binding legal obligations under treaties to which they are parties, or have made other commitments aimed at preventing the proliferation of nuclear, chemical or biological weapons, and have taken effective measures to account for, secure and physically protect sensitive materials, such as those required by the Convention on the Physical Protection of Nuclear Materials and those recommended by the IAEA Code of Conduct on the Safety and Security of Radioactive Sources,

Recognizing further the urgent need for all States to take additional effective measures to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery,

Encouraging all Member States to implement fully the disarmament treaties and agreements to which they are party,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

Determined to facilitate henceforth an effective response to global threats in the area of non-proliferation,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides that* all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

2. *Decides also* that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for

terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

3. *Decides also* that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;

(b) Develop and maintain appropriate effective physical protection measures;

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

4. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, for a period of no longer than two years, a Committee of the Security Council, consisting of all members of the Council, which will, calling as appropriate on other expertise, report to the Security Council for its examination, on the implementation of this resolution, and to this end calls upon States to present a first report no later than six months from the adoption of this resolution to the Committee on steps they have taken or intend to take to implement this resolution;

5. *Decides* that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;

6. *Recognizes* the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;

7. *Recognizes* that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

8. *Calls upon* all States:

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

9. *Calls upon* all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery;

10. Further to counter that threat, *calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

11. *Expresses* its intention to monitor closely the implementation of this resolution and, at the appropriate level, to take further decisions which may be required to this end;

12. *Decides* to remain seized of the matter.

United Nations S/RES/1624 (2005)



Security Council

Distr.: General
14 September 2005

Resolution 1624 (2005)

Adopted by the Security Council at its 5261st meeting, on 14 September 2005

The Security Council,

Reaffirming its resolutions 1267 (1999) of 15 October 1999, 1373 (2001) of 28 September 2001, 1535 (2004) of 26 March 2004, 1540 (2004) of 28 April 2004, 1566 (2004) of 8 October 2004, and 1617 (2005) of 29 July 2005, the declaration annexed to its resolution 1456 (2003) of 20 January 2003, as well as its other resolutions concerning threats to international peace and security caused by acts of terrorism,

Reaffirming also the imperative to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations, and also *stressing* that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights law, refugee law, and humanitarian law,

Condemning in the strongest terms all acts of terrorism irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace and security, and *reaffirming* the primary responsibility of the Security Council for the maintenance of international peace and security under the Charter of the United Nations,

Condemning also in the strongest terms the incitement of terrorist acts and *repudiating* attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts,

Deeply concerned that incitement of terrorist acts motivated by extremism and intolerance poses a serious and growing danger to the enjoyment of human rights, threatens the social and economic development of all States, undermines global stability and prosperity, and must be addressed urgently and proactively by the United Nations and all States, and *emphasizing* the need to take all necessary and appropriate measures in accordance with international law at the national and international level to protect the right to life,

Recalling the right to freedom of expression reflected in Article 19 of the Universal Declaration of Human Rights adopted by the General Assembly in 1948 ("the Universal Declaration"), and recalling also the right to freedom of expression

in Article 19 of the International Covenant on Civil and Political Rights adopted by the General Assembly in 1966 ("ICCPR") and that any restrictions thereon shall only be such as are provided by law and are necessary on the grounds set out in paragraph 3 of Article 19 of the ICCPR,

Recalling in addition the right to seek and enjoy asylum reflected in Article 14 of the Universal Declaration and the non-refoulement obligation of States under the Convention relating to the Status of Refugees adopted on 28 July 1951, together with its Protocol adopted on 31 January 1967 ("the Refugees Convention and its Protocol"), and also *recalling* that the protections afforded by the Refugees Convention and its Protocol shall not extend to any person with respect to whom there are serious reasons for considering that he has been guilty of acts contrary to the purposes and principles of the United Nations,

Reaffirming that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations,

Deeply concerned by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism motivated by intolerance or extremism in various regions of the world, *reaffirming* its profound solidarity with the victims of terrorism and their families, and *stressing* the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,

Recognizing the essential role of the United Nations in the global effort to combat terrorism and *welcoming* the Secretary-General's identification of elements of a counter-terrorism strategy to be considered and developed by the General Assembly without delay with a view to adopting and implementing a strategy to promote comprehensive, coordinated and consistent responses at the national, regional and international level to counter terrorism,

Stressing its call upon all States to become party, as a matter of urgency, to the international counter-terrorism Conventions and Protocols whether or not they are party to regional Conventions on the matter, and to give priority consideration to signing the International Convention for the Suppression of Nuclear Terrorism adopted by the General Assembly on 13 April 2005,

Re-emphasizing that continuing international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and addressing unresolved regional conflicts and the full range of global issues, including development issues, will contribute to strengthening the international fight against terrorism,

Stressing the importance of the role of the media, civil and religious society, the business community and educational institutions in those efforts to enhance dialogue and broaden understanding, and in promoting tolerance and coexistence, and in fostering an environment which is not conducive to incitement of terrorism,

Recognizing the importance that, in an increasingly globalized world, States act cooperatively to prevent terrorists from exploiting sophisticated technology, communications and resources to incite support for criminal acts,

Recalling that all States must cooperate fully in the fight against terrorism, in accordance with their obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens,

1. *Calls upon* all States to adopt such measures as may be necessary and appropriate and in accordance with their obligations under international law to:

(a) Prohibit by law incitement to commit a terrorist act or acts;

(b) Prevent such conduct;

(c) Deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such conduct;

2. *Calls upon* all States to cooperate, inter alia, to strengthen the security of their international borders, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures with a view to preventing those guilty of the conduct in paragraph 1 (a) from entering their territory;

3. *Calls upon* all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and to take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters;

4. *Stresses* that States must ensure that any measures taken to implement paragraphs 1, 2 and 3 of this resolution comply with all of their obligations under international law, in particular international human rights law, refugee law, and humanitarian law;

5. *Calls upon* all States to report to the Counter-Terrorism Committee, as part of their ongoing dialogue, on the steps they have taken to implement this resolution;

6. *Directs* the Counter-Terrorism Committee to:

(a) Include in its dialogue with Member States their efforts to implement this resolution;

(b) Work with Member States to help build capacity, including through spreading best legal practice and promoting exchange of information in this regard;

(c) Report back to the Council in twelve months on the implementation of this resolution.

7. *Decides* to remain actively seized of the matter.

United Nations S/RES/1699 (2006)



Security Council

Distr.: General
8 August 2006

Resolution 1699 (2006)

Adopted by the Security Council at its 5507th meeting, on 8 August 2006

The Security Council,

Recalling its resolution 1617 (2005) requesting increased cooperation between the International Criminal Police Organization (Interpol) and the Committee established pursuant to resolution 1267 (1999) (the "1267 Committee"),

Recalling also the cooperation agreement of 8 July 1997 between the United Nations and Interpol, and the exchange of letters of 8 December 2005 and 5 January 2006 supplementing the agreement,

Welcoming the constructive role that Interpol has played to help the 1267 Committee fulfil its mandate, inter alia, through the creation of the Interpol-United Nations Security Council Special Notices,

Noting that such cooperation with Interpol could also benefit the other sanctions committees established by the Security Council (the "Committees"), further noting that each committee might come up with its own conclusion in this regard,

Stressing that Security Council sanctions measures are often implemented under national law, including criminal law where applicable, and that enhanced cooperation between the United Nations and Interpol would enhance States' enforcement of those laws,

Emphasizing the obligations placed upon all Member States to implement, in full, the mandatory measures adopted by the Security Council,

1. *Requests* the Secretary-General to take the necessary steps to increase cooperation between the United Nations and Interpol in order to provide the Committees with better tools, to fulfil their mandates more effectively, and to give Member States better optional tools to implement those measures adopted by the Security Council and monitored by the Committees, as well as similar measures that may be adopted by the Security Council in the future, particularly the freezing of assets, travel bans, and arms embargoes;

2. *Encourages* Member States to use the tools offered by Interpol, particularly the I-24/7 global police communications system, to reinforce the implementation of such measures and similar measures that may be adopted by the Security Council in the future;

3. *Decides* to remain seized of the matter.

أهم قـــرارات مجلـــس الأمـــن

ذات الصلة بمواجهة الطالبان وتنظيم القاعدة

UNITED
NATIONS

S



Security Council

Distr.
GENERAL

S/RES/1267 (1999)
15 October 1999

RESOLUTION 1267 (1999)

Adopted by the Security Council at its 4051st meeting
on 15 October 1999

The Security Council,

Reaffirming its previous resolutions, in particular resolutions 1189 (1998) of 13 August 1998, 1193 (1998) of 28 August 1998 and 1214 (1998) of 8 December 1998, and the statements of its President on the situation in Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for Afghanistan's cultural and historical heritage,

Reiterating its deep concern over the continuing violations of international humanitarian law and of human rights, particularly discrimination against women and girls, and over the significant rise in the illicit production of opium, and stressing that the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of Iranian diplomats and a journalist in Mazar-e-Sharif constituted flagrant violations of established international law,

Recalling the relevant international counter-terrorism conventions and in particular the obligations of parties to those conventions to extradite or prosecute terrorists,

Strongly condemning the continuing use of Afghan territory, especially areas controlled by the Taliban, for the sheltering and training of terrorists and planning of terrorist acts, and reaffirming its conviction that the suppression of international terrorism is essential for the maintenance of international peace and security,

Deploring the fact that the Taliban continues to provide safe haven to Usama bin Laden and to allow him and others associated with him to operate a network of terrorist training camps from Taliban-controlled territory and to use Afghanistan as a base from which to sponsor international terrorist operations,

99-30044 (E)

Noting the indictment of Usama bin Laden and his associates by the United States of America for, inter alia, the 7 August 1998 bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania and for conspiring to kill American nationals outside the United States, and noting also the request of the United States of America to the Taliban to surrender them for trial (S/1999/1021),

Determining that the failure of the Taliban authorities to respond to the demands in paragraph 13 of resolution 1214 (1998) constitutes a threat to international peace and security,

Stressing its determination to ensure respect for its resolutions,

Acting under Chapter VII of the Charter of the United Nations,

1. Insists that the Afghan faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan, comply promptly with its previous resolutions and in particular cease the provision of sanctuary and training for international terrorists and their organizations, take appropriate effective measures to ensure that the territory under its control is not used for terrorist installations and camps, or for the preparation or organization of terrorist acts against other States or their citizens, and cooperate with efforts to bring indicted terrorists to justice;

2. Demands that the Taliban turn over Usama bin Laden without further delay to appropriate authorities in a country where he has been indicted, or to appropriate authorities in a country where he will be returned to such a country, or to appropriate authorities in a country where he will be arrested and effectively brought to justice;

3. Decides that on 14 November 1999 all States shall impose the measures set out in paragraph 4 below, unless the Council has previously decided, on the basis of a report of the Secretary-General, that the Taliban has fully complied with the obligation set out in paragraph 2 above;

4. Decides further that, in order to enforce paragraph 2 above, all States shall:

(a) Deny permission for any aircraft to take off from or land in their territory if it is owned, leased or operated by or on behalf of the Taliban as designated by the Committee established by paragraph 6 below, unless the particular flight has been approved in advance by the Committee on the grounds of humanitarian need, including religious obligation such as the performance of the Hajj;

(b) Freeze funds and other financial resources, including funds derived or generated from property owned or controlled directly or indirectly by the Taliban, or by any undertaking owned or controlled by the Taliban, as designated by the Committee established by paragraph 6 below, and ensure that neither they nor any other funds or financial resources so designated are made available, by their nationals or by any persons within their territory, to or for the benefit of the Taliban or any undertaking owned or controlled, directly or indirectly,

by the Taliban, except as may be authorized by the Committee on a case-by-case basis on the grounds of humanitarian need;

5. Urges all States to cooperate with efforts to fulfil the demand in paragraph 2 above, and to consider further measures against Usama bin Laden and his associates;

6. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To seek from all States further information regarding the action taken by them with a view to effectively implementing the measures imposed by paragraph 4 above;

(b) To consider information brought to its attention by States concerning violations of the measures imposed by paragraph 4 above and to recommend appropriate measures in response thereto;

(c) To make periodic reports to the Council on the impact, including the humanitarian implications, of the measures imposed by paragraph 4 above;

(d) To make periodic reports to the Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 4 above, identifying where possible persons or entities reported to be engaged in such violations;

(e) To designate the aircraft and funds or other financial resources referred to in paragraph 4 above in order to facilitate the implementation of the measures imposed by that paragraph;

(f) To consider requests for exemptions from the measures imposed by paragraph 4 above as provided in that paragraph, and to decide on the granting of an exemption to these measures in respect of the payment by the International Air Transport Association (IATA) to the aeronautical authority of Afghanistan on behalf of international airlines for air traffic control services;

(g) To examine the reports submitted pursuant to paragraph 9 below;

7. Calls upon all States to act strictly in accordance with the provisions of this resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of coming into force of the measures imposed by paragraph 4 above;

8. Calls upon States to bring proceedings against persons and entities within their jurisdiction that violate the measures imposed by paragraph 4 above and to impose appropriate penalties;

9. Calls upon all States to cooperate fully with the Committee established by paragraph 6 above in the fulfilment of its tasks, including

supplying such information as may be required by the Committee in pursuance of this resolution;

10. Requests all States to report to the Committee established by paragraph 6 above within 30 days of the coming into force of the measures imposed by paragraph 4 above on the steps they have taken with a view to effectively implementing paragraph 4 above;

11. Requests the Secretary-General to provide all necessary assistance to the Committee established by paragraph 6 above and to make the necessary arrangements in the Secretariat for this purpose;

12. Requests the Committee established by paragraph 6 above to determine appropriate arrangements, on the basis of recommendations of the Secretariat, with competent international organizations, neighbouring and other States, and parties concerned with a view to improving the monitoring of the implementation of the measures imposed by paragraph 4 above;

13. Requests the Secretariat to submit for consideration by the Committee established by paragraph 6 above information received from Governments and public sources on possible violations of the measures imposed by paragraph 4 above;

14. Decides to terminate the measures imposed by paragraph 4 above once the Secretary-General reports to the Security Council that the Taliban has fulfilled the obligation set out in paragraph 2 above;

15. Expresses its readiness to consider the imposition of further measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving the full implementation of this resolution;

16. Decides to remain actively seized of the matter.

United Nations S/RES/1333 (2000)



Security Council

Distr.: General

19 December 2000

Resolution 1333 (2000)

Adopted by the Security Council at its 4251st meeting, on 19 December 2000

The Security Council,

Reaffirming its previous resolutions, in particular resolution 1267 (1999) of 15 October 1999 and the statements of its President on the situation in Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for Afghanistan's cultural and historical heritage,

Recognizing the critical humanitarian needs of the Afghan people,

Supporting the efforts of the Personal Representative of the Secretary-General for Afghanistan to advance a peace process through political negotiations between the Afghan parties aimed at the establishment of a broad-based, multi-ethnic, and fully representative government, and *calling for* the warring factions to cooperate fully with those efforts to conclude a ceasefire and begin discussions leading to a political settlement, by moving forward promptly in the process of dialogue to which they have committed themselves,

Noting the December 2000 meeting of the Afghan Support Group which emphasized that the situation in Afghanistan is a complex one that requires a comprehensive, integrated approach to a peace process and issues of narcotics trafficking, terrorism, human rights, and international humanitarian and development aid,

Recalling the relevant international counter-terrorism conventions and in particular the obligations of parties to those conventions to extradite or prosecute terrorists,

Strongly condemning the continuing use of the areas of Afghanistan under the control of the Afghan faction known as Taliban, which also calls itself the Islamic Emirate of Afghanistan (hereinafter known as the Taliban), for the sheltering and training of terrorists and planning of terrorist acts, and *reaffirming* its conviction that the suppression of international terrorism is essential for the maintenance of international peace and security,

Noting the importance of the Taliban acting in accordance with the 1961 Single Convention, the 1971 Convention on Psychotropic Substances, and the 1988

Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and the commitments of the 1998 Twentieth Special Session of the General Assembly on Narcotic Drugs, including to work closely with the United Nations Drug Control Programme,

Noting that the Taliban benefits directly from the cultivation of illicit opium by imposing a tax on its production and indirectly benefits from the processing and trafficking of such opium, and *recognizing* that these substantial resources strengthen the Taliban's capacity to harbour terrorists,

Deploring the fact that the Taliban continues to provide safehaven to Usama bin Laden and to allow him and others associated with him to operate a network of terrorist training camps from Taliban-controlled territory and to use Afghanistan as a base from which to sponsor international terrorist operations,

Noting the indictment of Usama bin Laden and his associates by the United States of America for, inter alia, the 7 August 1998 bombings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania and for conspiring to kill American nationals outside the United States, and *noting also* the request of the United States of America to the Taliban to surrender them for trial (S/1999/1021),

Reiterating its deep concern over the continuing violations of international humanitarian law and of human rights, particularly discrimination against women and girls, and over the significant rise in the illicit production of opium,

Stressing that the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of Iranian diplomats and a journalist in Mazar-e-Sharif constituted flagrant violations of established international law,

Determining that the failure of the Taliban authorities to respond to the demands in paragraph 13 of resolution 1214 (1998) and in paragraph 2 of resolution 1267 (1999) constitutes a threat to international peace and security,

Stressing its determination to ensure respect for its resolutions,

Reaffirming the necessity for sanctions to contain adequate and effective exemptions to avoid adverse humanitarian consequences on the people of Afghanistan, and that they be structured in a way that will not impede, thwart or delay the work of international humanitarian assistance organizations or governmental relief agencies providing humanitarian assistance to the civilian population in the country,

Underlining the responsibility of the Taliban for the well-being of the population in the areas of Afghanistan under its control, and in this context *calling on* the Taliban to ensure the safe and unhindered access of relief personnel and aid to all those in need in the territory under their control,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted by the General Assembly in its resolution 49/59 of 9 December 1994,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the Taliban comply with resolution 1267 (1999) and, in particular, cease the provision of sanctuary and training for international terrorists and their organizations, take appropriate effective measures to ensure that the

territory under its control is not used for terrorist installations and camps, or for the preparation or organization of terrorist acts against other States or their citizens, and cooperate with international efforts to bring indicted terrorists to justice;

2. *Demands also* that the Taliban comply without further delay with the demand of the Security Council in paragraph 2 of resolution 1267 (1999) that requires the Taliban to turn over Usama bin Laden to appropriate authorities in a country where he has been indicted, or to appropriate authorities in a country where he will be returned to such a country, or to appropriate authorities in a country where he will be arrested and effectively brought to justice;

3. *Demands further* that the Taliban should act swiftly to close all camps where terrorists are trained within the territory under its control, and *calls* for the confirmation of such closures by the United Nations, inter alia, through information made available to the United Nations by Member States in accordance with paragraph 19 below, and through such other means as are necessary to assure compliance with this resolution;

4. *Reminds* all States of their obligation to implement strictly the measures imposed by paragraph 4 of resolution 1267 (1999);

5. *Decides* that all States shall:

(a) Prevent the direct or indirect supply, sale and transfer to the territory of Afghanistan under Taliban control as designated by the Committee established pursuant to resolution 1267 (1999), hereinafter known as the Committee, by their nationals or from their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned;

(b) Prevent the direct or indirect sale, supply and transfer to the territory of Afghanistan under Taliban control, as designated by the Committee, by their nationals or from their territories, of technical advice, assistance, or training related to the military activities of the armed personnel under the control of the Taliban;

(c) Withdraw any of their officials, agents, advisers, and military personnel employed by contract or other arrangement present in Afghanistan to advise the Taliban on military or related security matters, and urge other nationals in this context to leave the country;

6. *Decides* that the measures imposed by paragraph 5 above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee, and *affirms* that the measures imposed by paragraph 5 above do not apply to protective clothing, including flak jackets and military helmets, exported to Afghanistan by United Nations personnel, representatives of the media, and humanitarian workers for their personal use only;

7. *Urges* all States that maintain diplomatic relations with the Taliban to reduce significantly the number and level of the staff at Taliban missions and posts and restrict or control the movement within their territory of all such staff who remain; in the case of Taliban missions to international organizations, the host State may, as it deems necessary, consult the organization concerned on the measures required to implement this paragraph;

8. *Decides* that all States shall take further measures:

(a) To close immediately and completely all Taliban offices in their territories;

(b) To close immediately all offices of Ariana Afghan Airlines in their territories;

(c) To freeze without delay funds and other financial assets of Usama bin Laden and individuals and entities associated with him as designated by the Committee, including those in the Al-Qaida organization, and including funds derived or generated from property owned or controlled directly or indirectly by Usama bin Laden and individuals and entities associated with him, and to ensure that neither they nor any other funds or financial resources are made available, by their nationals or by any persons within their territory, directly or indirectly for the benefit of Usama bin Laden, his associates or any entities owned or controlled, directly or indirectly, by Usama bin Laden or individuals and entities associated with him including the Al-Qaida organization and *requests* the Committee to maintain an updated list, based on information provided by States and regional organizations, of the individuals and entities designated as being associated with Usama bin Laden, including those in the Al-Qaida organization;

9. *Demands* that the Taliban, as well as others, halt all illegal drugs activities and work to virtually eliminate the illicit cultivation of opium poppy, the proceeds of which finance Taliban terrorist activities;

10. *Decides* that all States shall prevent the sale, supply or transfer, by their nationals or from their territories, of the chemical acetic anhydride to any person in the territory of Afghanistan under Taliban control as designated by the Committee or to any person for the purpose of any activity carried on in, or operated from, the territory under Taliban control as designated by the Committee;

11. *Decides also* that all States are required to deny any aircraft permission to take off from, land in or over-fly their territories if that aircraft has taken off from, or is destined to land at, a place in the territory of Afghanistan designated by the Committee as being under Taliban control, unless the particular flight has been approved in advance by the Committee on the grounds of humanitarian need, including religious obligations such as the performance of the Hajj, or on the grounds that the flight promotes discussion of a peaceful resolution of the conflict in Afghanistan, or is likely to promote Taliban compliance with this resolution or with resolution 1267 (1999);

12. *Decides further* that the Committee shall maintain a list of approved organizations and governmental relief agencies which are providing humanitarian assistance to Afghanistan, including the United Nations and its agencies, governmental relief agencies providing humanitarian assistance, the International Committee of the Red Cross and non-governmental organizations as appropriate, that the prohibition imposed by paragraph 11 above shall not apply to humanitarian flights operated by, or on behalf of, organizations and governmental relief agencies on the list approved by the Committee, that the Committee shall keep the list under regular review, adding new organizations and governmental relief agencies as appropriate and that the Committee shall remove organizations and governmental agencies from the list if it decides that they are operating, or are likely to operate, flights for other than humanitarian purposes, and shall notify such organizations and

governmental agencies immediately that any flights operated by them, or on their behalf, are thereby subject to the provisions of paragraph 11 above;

13. *Calls upon* the Taliban to ensure the safe and unhindered access of relief personnel and aid to all those in need in the territory under their control, and *underlines* that the Taliban must provide guarantees for the safety, security and freedom of movement for United Nations and associated humanitarian relief personnel;

14. *Urges* States to take steps to restrict the entry into or transit through their territory of all senior officials of the rank of Deputy Minister or higher in the Taliban, the equivalent rank of armed personnel under the control of the Taliban, and other senior advisers and dignitaries of the Taliban, unless those officials are travelling for humanitarian purposes, including religious obligation such as the performance of the Hajj, or where the travel promotes discussion of a peaceful resolution of the conflict in Afghanistan or involves compliance with this resolution or resolution 1267 (1999);

15. *Requests* the Secretary-General in consultation with the Committee:

(a) To appoint a committee of experts to make recommendations to the Council within sixty days of the adoption of this resolution regarding how the arms embargo and the closure of terrorist training camps demanded in paragraphs 3 and 5 above can be monitored, including inter alia the use of information obtained by Member States through their national means and provided by them to the Secretary-General;

(b) To consult with relevant Member States to put into effect the measures imposed by this resolution and resolution 1267 (1999) and report the results of such consultations to the Council;

(c) To report on the implementation of the existing measures, assess problems in enforcing these measures, make recommendations for strengthening enforcement, and evaluate actions of the Taliban to come into compliance;

(d) To review the humanitarian implications of the measures imposed by this resolution and resolution 1267 (1999), and to report back to the Council within 90 days of the adoption of this resolution with an assessment and recommendations, to report at regular intervals thereafter on any humanitarian implications and to present a comprehensive report on this issue and any recommendations no later than 30 days prior to the expiration of these measures;

16. *Requests* the Committee to fulfil its mandate by undertaking the following tasks in addition to those set out in resolution 1267 (1999):

(a) To establish and maintain updated lists based on information provided by States, regional, and international organizations of all points of entry and landing areas for aircraft within the territory of Afghanistan under control by the Taliban and to notify Member States of the contents of such lists;

(b) To establish and maintain updated lists, based on information provided by States and regional organizations, of individuals and entities designated as being associated with Usama bin Laden, in accordance with paragraph 8 (c) above;

(c) To give consideration to, and decide upon, requests for the exceptions set out in paragraphs 6 and 11 above;

(d) To establish no later than one month after the adoption of this resolution and maintain an updated list of approved organizations and governmental relief agencies which are providing humanitarian assistance to Afghanistan, in accordance with paragraph 12 above;

(e) To make relevant information regarding implementation of these measures publicly available through appropriate media, including through the improved use of information technology;

(f) To consider, where and when appropriate, a visit to countries in the region by the Chairman of the Committee and such other members as may be required to enhance the full and effective implementation of the measures imposed by this resolution and resolution 1267 (1999) with a view to urging States to comply with relevant Council resolutions;

(g) To make periodic reports to the Council on information submitted to it regarding this resolution and resolution 1267 (1999), including possible violations of the measures reported to the Committee and recommendations for strengthening the effectiveness of these measures;

17. *Calls upon* all States and all international and regional organizations, including the United Nations and its specialized agencies, to act strictly in accordance with the provisions of this resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of coming into force of the measures imposed by paragraphs 5, 8, 10 and 11 above;

18. *Calls upon* States to bring proceedings against persons and entities within their jurisdiction that violate the measures imposed by paragraphs 5, 8, 10 and 11 above and to impose appropriate penalties;

19. *Calls upon* all States to cooperate fully with the Committee in the fulfilment of its tasks, including supplying such information as may be required by the Committee in pursuance of this resolution;

20. *Requests* all States to report to the Committee within 30 days of the coming into force of the measures imposed by paragraphs 5, 8, 10 and 11 above on the steps they have taken with a view to effectively implementing this resolution;

21. *Requests* the Secretariat to submit for consideration by the Committee information received from Governments and public sources on possible violations of the measures imposed by paragraphs 5, 8, 10 and 11 above;

22. *Decides* that the measures imposed by paragraphs 5, 8, 10 and 11 above shall come into force at 00.01 Eastern Standard Time, one month after the adoption of this resolution;

23. *Further decides* that the measures imposed by paragraphs 5, 8, 10 and 11 above are established for twelve months and that, at the end of this period, the Council will decide whether the Taliban has complied with paragraphs 1, 2 and 3 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

24. *Decides* if the Taliban comply with the conditions of paragraphs 1, 2 and 3 above, before the twelve-month period has elapsed, the Security Council shall terminate the measures imposed by paragraphs 5, 8, 10 and 11 above;

25. *Expresses* its readiness to consider the imposition of further measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving full implementation of this resolution and resolution 1267 (1999), inter alia, taking into account the impact assessment referred to in paragraph 15 (d) with a view to enhancing the effectiveness of sanctions and avoiding humanitarian consequences;

26. *Decides* to remain actively seized of the matter.



Security Council

Distr.: General
30 July 2001

Resolution 1363 (2001)

Adopted by the Security Council at its 4352nd meeting, on 30 July 2001

The Security Council,

Reaffirming its previous resolutions, in particular resolution 1267 (1999) of 15 October 1999 and resolution 1333 (2000) of 19 December 2000, as well as the statements of its President on the situation in Afghanistan,

Determining that the situation in Afghanistan constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation under the Charter of the United Nations of all Member States to comply fully with the measures imposed by resolutions 1267 (1999) and 1333 (2000);

2. *Welcomes* the report (S/2001/511) of the Committee of Experts established pursuant to resolution 1333 (2000), and *notes* the conclusions and recommendations contained therein, following consultations with the States bordering the territory of Afghanistan under Taliban control which it had visited;

3. *Requests* the Secretary-General to establish, in consultation with the Committee established pursuant to resolution 1267 (1999), within 30 days of the date of adoption of this resolution and for a period running concurrently with the application of the measures imposed by resolution 1333 (2000), a mechanism:

(a) to monitor the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000);

(b) to offer assistance to States bordering the territory of Afghanistan under Taliban control and other States, as appropriate, to increase their capacity regarding the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000); and

(c) to collate, assess, verify wherever possible, report and make recommendations on information regarding violations of the measures imposed by resolutions 1267 (1999) and 1333 (2000);

4. *Decides* that the composition of the monitoring mechanism, bearing in mind inter alia equitable geographical distribution, should be comprised of:

(a) a Monitoring Group in New York of up to five experts, including a Chairman, to monitor the implementation of all the measures imposed by resolutions 1267 (1999) and 1333 (2000), including in the fields of arms embargoes, counter-terrorism and related legislation and, in view of the link to the purchase of arms and financing of terrorism, money laundering, financial transactions and drug trafficking; and

(b) a Sanctions Enforcement Support Team, under the coordination of the Monitoring Group, of up to fifteen members with expertise in areas such as: customs, border security and counter-terrorism, to be located in those States referred to in paragraph 2 above, in full consultation and in close cooperation with those States;

5. *Requests* the Monitoring Group to report to the Committee established pursuant to resolution 1267 (1999) including through briefings of experts of the monitoring mechanism regarding the work of the monitoring mechanism as established in paragraph 3 above, and *requests also* the Sanctions Enforcement Support Team to report at least once a month to the Monitoring Group;

6. *Requests also* the Committee established pursuant to resolution 1267 (1999) to report to the Security Council on the implementation of this resolution at regular intervals;

7. *Calls upon* all States, the United Nations and concerned parties, to cooperate in a full and timely manner with the monitoring mechanism;

8. *Urges* all States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under their domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures imposed by resolutions 1267 (1999) and 1333 (2000), and to inform the Committee established pursuant to resolution 1267 (1999) of the adoption of such measures, and *invites* States to report the results of all related investigations or enforcement actions to the Committee unless to do so would compromise the investigation or enforcement action;

9. *Requests* the Secretary-General to make the necessary arrangements to support the work of the monitoring mechanism, as an expense of the Organization and through a United Nations Trust Fund established for this purpose, *affirms* that this Trust Fund will be established by the Secretary-General, *encourages* States to contribute to the Fund and to contribute, through the Secretary-General, personnel, equipment and services to the monitoring mechanism; and *further requests* the Secretary-General to keep the Committee established pursuant to resolution 1267 (1999) informed on a regular basis of the financial arrangements supporting the mechanism;

10. *Expresses* its intention to review the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000) on the basis of the information provided by the monitoring mechanism through the Committee established pursuant to resolution 1267 (1999);

11. *Decides* to remain seized of the matter.

United Nations S/RES/1390 (2002)*



Security Council

Distr.: General
28 January 2002

Resolution 1390 (2002)

Adopted by the Security Council at its 4452nd meeting, on 16 January 2002

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000 and 1363 (2001) of 30 July 2001,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1378 (2001) of 14 November 2001 and 1383 (2001) of 6 December 2001,

Reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and *reiterating* its support for international efforts to root out terrorism, in accordance with the Charter of the United Nations,

Reaffirming its unequivocal condemnation of the terrorist attacks which took place in New York, Washington and Pennsylvania on 11 September 2001, expressing its determination to prevent all such acts, *noting* the continued activities of Usama bin Laden and the Al-Qaida network in supporting international terrorism, and expressing its determination to root out this network,

Noting the indictments of Usama bin Laden and his associates by the United States of America for, inter alia, the 7 August 1998 bombings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania,

Determining that the Taliban have failed to respond to the demands in paragraph 13 of resolution 1214 (1998) of 8 December 1998, paragraph 2 of resolution 1267 (1999) and paragraphs 1, 2 and 3 of resolution 1333 (2000),

Condemning the Taliban for allowing Afghanistan to be used as a base for terrorists training and activities, including the export of terrorism by the Al-Qaida network and other terrorist groups as well as for using foreign mercenaries in hostile actions in the territory of Afghanistan,

Condemning the Al-Qaida network and other associated terrorist groups, for the multiple criminal, terrorist acts, aimed at causing the deaths of numerous innocent civilians, and the destruction of property,

* Reissued for technical reasons.

Reaffirming further that acts of international terrorism constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to continue the measures imposed by paragraph 8 (c) of resolution 1333 (2000) and *takes note* of the continued application of the measures imposed by paragraph 4 (b) of resolution 1267 (1999), in accordance with paragraph 2 below, and *decides* to terminate the measures imposed in paragraph 4 (a) of resolution 1267 (1999);

2. *Decides* that all States shall take the following measures with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) to be updated regularly by the Committee established pursuant to resolution 1267 (1999) hereinafter referred to as "the Committee";

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, by their nationals or by any persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case by case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale and transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

3. *Decides* that the measures referred to in paragraphs 1 and 2 above will be reviewed in 12 months and that at the end of this period the Council will either allow these measures to continue or decide to improve them, in keeping with the principles and purposes of this resolution;

4. *Recalls* the obligation placed upon all Member States to implement in full resolution 1373 (2001), including with regard to any member of the Taliban and the Al-Qaida organization, and any individuals, groups, undertakings and entities associated with the Taliban and the Al-Qaida organization, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts;

5. *Requests* the Committee to undertake the following tasks and to report on its work to the Council with its observations and recommendations;

(a) to update regularly the list referred to in paragraph 2 above, on the basis of relevant information provided by Member States and regional organizations;

(b) to seek from all States information regarding the action taken by them to implement effectively the measures referred to in paragraph 2 above, and thereafter to request from them whatever further information the Committee may consider necessary;

(c) to make periodic reports to the Council on information submitted to the Committee regarding the implementation of this resolution;

(d) to promulgate expeditiously such guidelines and criteria as may be necessary to facilitate the implementation of the measures referred to in paragraph 2 above;

(e) to make information it considers relevant, including the list referred to in paragraph 2 above, publicly available through appropriate media;

(f) to cooperate with other relevant Security Council Sanctions Committees and with the Committee established pursuant to paragraph 6 of its resolution 1373 (2001);

6. *Requests* all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement the measures referred to in paragraph 2 above;

7. *Urges* all States, relevant United Nations bodies, and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Monitoring Group referred to in paragraph 9 below;

8. *Urges* all States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures referred to in paragraph 2 of this resolution, and to inform the Committee of the adoption of such measures, and *invites* States to report the results of all related investigations or enforcement actions to the Committee unless to do so would compromise the investigation or enforcement actions;

9. *Requests* the Secretary-General to assign the Monitoring Group established pursuant to paragraph 4 (a) of resolution 1363 (2001), whose mandate expires on 19 January 2002, to monitor, for a period of 12 months, the implementation of the measures referred to in paragraph 2 of this resolution;

10. *Requests* the Monitoring Group to report to the Committee by 31 March 2002 and thereafter every 4 months;

11. *Decides* to remain actively seized of the matter.

United Nations S/RES/1455 (2003)



Security Council

Distr.: General

17 January 2003

Resolution 1455 (2003)

Adopted by the Security Council at its 4686th meeting, on 17 January 2003

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002 and 1452 (2002) of 20 December 2002,

Underlining the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to any member of the Taliban and the Al-Qaida organization, and any individuals, groups, undertakings and entities associated with the Taliban and the Al-Qaida organization, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts, as well as to facilitate the implementation of counter terrorism obligations in accordance with relevant Security Council resolutions,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts,

Noting that, in giving effect to the measures in paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Reiterating its condemnation of the Al-Qaida network and other associated terrorist groups for ongoing and multiple criminal terrorist acts, aimed at causing the deaths of innocent civilians, and other victims, and the destruction of property,

Reiterating its unequivocal condemnation of all forms of terrorism and terrorist acts as noted in resolutions 1368 (2001) of 12 September 2001, 1438 (2002) of 14 October 2002, 1440 (2002) of 24 October 2002, and 1450 (2002) of 13 December 2002,

Reaffirming that acts of international terrorism constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

03-21407 (E) 170103
0321407

1. *Decides* to improve the implementation of the measures imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002);

2. *Decides* that the measures referred to in paragraph 1 above will be further improved in 12 months, or sooner if necessary;

3. *Stresses* the need for improved coordination and increased exchange of information between the Committee established pursuant to resolution 1267 (1999) (hereinafter referred to as "the Committee") and the Committee established pursuant to resolution 1373 (2001);

4. *Requests* the Committee to communicate to Member States the list referred to in paragraph 2 of resolution 1390 (2002) at least every three months, and stresses to all Member States the importance of submitting to the Committee the names and identifying information, to the extent possible, of and about members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them so that the Committee can consider adding new names and details to its list, unless to do so would compromise investigations or enforcement actions;

5. *Calls upon* all States to continue to take urgent steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating in their territory, to prevent and punish violations of the measures referred to in paragraph 1 of this resolution, and to inform the Committee of the adoption of such measures, and invites States to report the results of all related investigations or enforcement actions to the Committee, unless to do so would compromise the investigation or enforcement actions;

6. *Calls upon* all States to submit an updated report to the Committee no later than 90 days from adoption of this resolution on all steps taken to implement the measures referred to in paragraph 1 above and all related investigations and enforcement actions, including a comprehensive summary of frozen assets of listed individuals and entities within Member State territories, unless to do so would compromise investigations or enforcement actions;

7. *Calls upon* all States, relevant United Nations bodies, and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Monitoring Group referred to in paragraph 8 below, including supplying such information as may be sought by the Committee pursuant to all pertinent resolutions and by providing all relevant information, to the extent possible, to facilitate proper identification of all listed individuals and entities;

8. *Requests* the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee, to reappoint five experts, drawing, as much as possible and as appropriate, on the expertise of the members of the Monitoring Group established pursuant to paragraph 4 (a) of resolution 1363 (2001), to monitor for a further period of 12 months the implementation of the measures referred to in paragraph 1 of this resolution and to follow up on relevant leads relating to any incomplete implementation of the measures referred to in paragraph 1 above;

9. *Requests* the Chairman of the Committee to report orally at least every 90 days to the Council in detail on the overall work of the Committee and the Monitoring Group and stipulates that these updates shall include a summary of progress in submitting the reports referred to in paragraph 6 of resolution 1390 (2002) and paragraph 6 above;

10. *Requests* the Secretary-General to ensure that the Monitoring Group and the Committee and its Chairman have access to sufficient expertise and resources as and when required to assist in the discharge of their responsibilities;

11. *Requests* the Committee to consider, where and when appropriate, a visit to selected countries by the Chairman of the Committee and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to implement all relevant Council resolutions;

12. *Requests* the Monitoring Group to submit a detailed work programme within 30 days of the adoption of this resolution and to assist the Committee in providing guidance for Member States on the format of the reports referred to in paragraph 6 above;

13. *Further requests* the Monitoring Group to submit two written reports to the Committee, the first by 15 June 2003 and the second by 1 November 2003, on implementation of the measures referred to in paragraph 1 above and to brief the Committee when the Committee so requests;

14. *Further requests* the Committee, through its Chairman, to provide the Council by 1 August 2003 and by 15 December 2003 with detailed oral assessments of Member State implementation of the measures referred to in paragraph 1 above based on Member State reports referred to in paragraph 6 above, paragraph 6 of resolution 1390 (2002) and all pertinent parts of Member State reports submitted under resolution 1373 (2001), and in line with transparent criteria to be determined by the Committee and communicated to all Member States, in addition to considering supplementary recommendations by the Monitoring Group, with a view to recommending further measures for Council consideration to improve the measures referred to in paragraph 1 above;

15. *Requests* the Committee, based on its oral assessments, through its Chairman, to the Council referred to in paragraph 14 above, to prepare and then to circulate a written assessment to the Council of actions taken by States to implement the measures referred to in paragraph 1 above;

16. *Decides* to remain actively seized of the matter.



Security Council

Distr.: General
30 January 2004

Resolution 1526 (2004)

Adopted by the Security Council at its 4908th meeting, on 30 January 2004

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, and 1455 (2003) of 17 January 2003,

Underlining the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to any member of the Taliban and the Al-Qaida organization, and any individuals, groups, undertakings and entities associated with the Taliban and the Al-Qaida organization, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts,

Noting that, in giving effect to the measures in paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Reiterating its condemnation of the Al-Qaida network and other associated terrorist groups for ongoing and multiple criminal terrorist acts, aimed at causing the deaths of innocent civilians, and other victims, and the destruction of property, and greatly undermining stability,

Reiterating its unequivocal condemnation of all forms of terrorism and terrorist acts,

Stressing to all States, international bodies, and regional organizations, the importance of ensuring that resources are committed, including through international partnership, to meet the ongoing threat the Al-Qaida organization and members of the Taliban, and any individuals, groups, undertakings and entities associated with them, represent to international peace and security,

04-22669 (E)
0422669

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to improve, as set out in the following paragraphs of this resolution, the implementation of the measures imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Committee list"), namely to:

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, by their nationals or by any persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

and *recalls* that all States shall implement the measures with respect to listed individuals and entities;

2. *Decides* to strengthen the mandate of the Committee established pursuant to resolution 1267 (1999) ("the Committee") to include, in addition to the oversight of States' implementation of the measures referred to in paragraph 1 above, a central role in assessing information for the Council's review regarding effective implementation of the measures, as well as in recommending improvements to the measures;

3. *Decides* that the measures referred to in paragraph 1 above will be further improved in 18 months, or sooner if necessary;

4. *Calls upon* States to move vigorously and decisively to cut the flows of funds and other financial assets and economic resources to individuals and entities associated with the Al-Qaida organization, Usama bin Laden and/or the Taliban, taking into account, as appropriate, international codes and standards for combating the financing of terrorism, including those designed to prevent the abuse of non-profit organizations and informal/alternative remittance systems;

5. *Urges* all States and encourages regional organizations, as appropriate, to establish internal reporting requirements and procedures on the trans-border movement of currency based on applicable thresholds;

6. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to establish for a period of 18 months a New York-based Analytical Support and Sanctions Monitoring Team (hereinafter referred to as "the Monitoring Team") under the direction of the Committee with the responsibilities enumerated in the Annex to this resolution;

7. *Requests* the Secretary-General, upon adoption of this resolution and acting in close consultation with the Committee, to appoint, consistent with United Nations rules and procedures, no more than eight members, including a coordinator, of the Monitoring Team, who demonstrate one or more of the following areas of expertise related to activities of the Al-Qaida organization and/or the Taliban, including: counter-terrorism and related legislation; financing of terrorism and international financial transactions, including technical banking expertise; alternative remittance systems, charities, and use of couriers; border enforcement, including port security; arms embargoes and export controls; and drug trafficking;

8. *Further requests* the Monitoring Team to submit, in writing, three comprehensive, independent reports to the Committee, the first by 31 July 2004, the second by 15 December 2004, and the third by 30 June 2005, on implementation by States of the measures referred to in paragraph 1 above, including concrete recommendations for improved implementation of the measures and possible new measures;

9. *Requests* the Secretary-General to provide cost-effective support, as needed by the Committee, in light of the increased workload entailed by this resolution;

10. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), and 1455 (2003);

11. *Further requests* the Committee to follow up via oral and/or written communications with States regarding effective implementation of the sanctions measures and to provide States with an opportunity, at the Committee's request, to send representatives to meet with the Committee for more in-depth discussion of relevant issues;

12. *Requests* the Committee, through its Chairman, to report orally at least every 120 days to the Council in detail on the overall work of the Committee and the Team, including a summary of States' progress in submitting the reports referred to in paragraph 6 of resolution 1455 (2003) and any follow-up communications with States regarding additional requests for information and assistance;

13. *Further requests* the Committee, based on its ongoing oversight of States' implementation of the measures referred to in paragraph 1 above, to prepare and then to circulate within 17 months after the adoption of this resolution a written analytical assessment to the Council on implementation of the measures, including States' successes and challenges in implementing them, with a view to recommending further measures for the Council's consideration;

14. *Requests* all States, and encourages regional organizations, relevant United Nations bodies, and, as appropriate, other organizations and interested

parties to cooperate fully with the Committee and the Monitoring Team, including supplying such information as may be sought by the Committee pursuant to this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1452 (2002) and 1455 (2003), to the extent possible;

15. *Reiterates* the need for close coordination and concrete exchange of information between the Committee and the Committee established pursuant to resolution 1373 (the "Counter-Terrorism Committee");

16. *Reiterates* to all States the importance of proposing to the Committee the names of members of the Al-Qaida organization and the Taliban or associated with Usama bin Laden and other individuals, groups, undertakings and entities associated with them for inclusion in the Committee's list, unless to do so would compromise investigations or enforcement actions;

17. *Calls upon* all States, when submitting new names to the Committee's list, to include identifying information and background information, to the greatest extent possible, that demonstrates the individual(s)' and/or entity(ies)' association with Usama bin Laden or with members of the Al-Qaida organization and/or the Taliban, in line with the Committee's guidelines;

18. *Strongly encourages* all States to inform, to the extent possible, individuals and entities included in the Committee's list of the measures imposed on them, and of the Committee's guidelines and resolution 1452 (2002);

19. *Requests* the Secretariat to communicate to Member States the Committee's list at least every three months to facilitate States' implementation of the measures on entry and travel imposed by paragraph 2 (b) of resolution 1390 (2002), and, *further requests*, that the Committee's list, whenever amended, be automatically conveyed by the Secretariat to all States, regional and subregional organizations for inclusion, to the extent possible, of listed names in their respective electronic databases and relevant border enforcement and entry/exit tracking systems;

20. *Reiterates* the urgency for all States to comply with their existing obligations to implement the measures referred to in paragraph 1 above and to ensure that their domestic legislative enactments or administrative measures, as appropriate, permit the immediate implementation of those measures with respect to their nationals and other individuals or entities located or operating in their territory, and with respect to funds, other financial assets and economic resources over which they have jurisdiction, and to inform the Committee of the adoption of such measures, and *invites* States to report the results of all related investigations and enforcement actions to the Committee, unless to do so would compromise the investigation or enforcement actions;

21. *Requests* that the Committee seek from States, as appropriate, status reports on the implementation of the measures referred to in paragraph 1 above concerning listed individuals and entities, specifically with respect to the aggregate amounts of the listed individuals' and entities' frozen assets;

22. *Requests* all States that have not yet done so to submit to the Committee by 31 March 2004 the updated reports called for under paragraph 6 of resolution 1455 (2003), following as closely as possible the guidance document previously provided by the Committee; and *further requests* that all States that have not

submitted these reports to explain in writing to the Committee by 31 March 2004 their reasons for non-reporting;

23. *Requests* the Committee to circulate to the Council a list of those States that have not submitted by 31 March 2004 reports pursuant to paragraph 6 of resolution 1455 (2003), including an analytical summary of the reasons put forward by States for non-reporting;

24. *Urges* all States and encourages relevant international, regional and subregional organizations to become more directly involved in capacity-building efforts and to offer technical assistance in areas identified by the Committee, in consultation with the Counter-Terrorism Committee;

25. *Decides* to remain actively seized of the matter.

Annex to resolution 1526 (2004)

In accordance with paragraph 6 of this resolution, the Analytical Support and Sanctions Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

– To collate, assess, monitor and report on and make recommendations regarding implementation of the measures; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

– To submit a comprehensive programme of work to the Committee for its approval and review, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel;

– To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003) and any subsequent written responses provided by States to the Committee;

– To work closely and share information with Counter-Terrorism Committee experts to identify areas of convergence and to help facilitate concrete coordination between the two Committees;

– To consult with States in advance of travel to selected States, based on its programme of work approved by the Committee;

– To consult with States, including through engaging in regular dialogue with representatives in New York and in capitals, taking into account comments from States, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph 8 of this resolution;

– To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including on its visits to States and its activities;

– To assist the Committee in preparing its oral and written assessments to the Council, in particular the analytical summaries referred to in paragraphs 12 and 13 of this resolution;

– Any other responsibility identified by the Committee.



Security Council

Distr.: General
8 October 2004

Resolution 1566 (2004)

Adopted by the Security Council at its 5053rd meeting, on 8 October 2004

The Security Council,

Reaffirming its resolutions 1267 (1999) of 15 October 1999 and 1373 (2001) of 28 September 2001 as well as its other resolutions concerning threats to international peace and security caused by terrorism,

Recalling in this regard its resolution 1540 (2004) of 28 April 2004,

Reaffirming also the imperative to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations and international law,

Deeply concerned by the increasing number of victims, including children, caused by acts of terrorism motivated by intolerance or extremism in various regions of the world,

Calling upon States to cooperate fully with the Counter-Terrorism Committee (CTC) established pursuant to resolution 1373 (2001), including the recently established Counter-Terrorism Committee Executive Directorate (CTED), the "Al-Qaida/Taliban Sanctions Committee" established pursuant to resolution 1267 (1999) and its Analytical Support and Sanctions Monitoring Team, and the Committee established pursuant to resolution 1540 (2004), and *further calling* upon such bodies to enhance cooperation with each other,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Considering that acts of terrorism seriously impair the enjoyment of human rights and threaten the social and economic development of all States and undermine global stability and prosperity,

Emphasizing that enhancing dialogue and broadening the understanding among civilizations, in an effort to prevent the indiscriminate targeting of different

04-54282 (E)
0454282

religions and cultures, and addressing unresolved regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation, which by itself is necessary to sustain the broadest possible fight against terrorism,

Reaffirming its profound solidarity with victims of terrorism and their families,

Acting under Chapter VII of the Charter of the United Nations.

1. *Condemns* in the strongest terms all acts of terrorism irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace and security;

2. *Calls upon* States to cooperate fully in the fight against terrorism, especially with those States where or against whose citizens terrorist acts are committed, in accordance with their obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle to extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens;

3. *Recalls* that criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, and *calls upon* all States to prevent such acts and, if not prevented, to ensure that such acts are punished by penalties consistent with their grave nature;

4. *Calls upon* all States to become party, as a matter of urgency, to the relevant international conventions and protocols whether or not they are a party to regional conventions on the matter;

5. *Calls upon* Member States to cooperate fully on an expedited basis in resolving all outstanding issues with a view to adopting by consensus the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism;

6. *Calls upon* relevant international, regional and subregional organizations to strengthen international cooperation in the fight against terrorism and to intensify their interaction with the United Nations and, in particular, the CTC with a view to facilitating full and timely implementation of resolution 1373 (2001);

7. *Requests* the CTC in consultation with relevant international, regional and subregional organizations and the United Nations bodies to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism;

8. *Directs* the CTC, as a matter of priority and, when appropriate, in close cooperation with relevant international, regional and subregional organizations to start visits to States, with the consent of the States concerned, in order to enhance

the monitoring of the implementation of resolution 1373 (2001) and facilitate the provision of technical and other assistance for such implementation;

9. *Decides* to establish a working group consisting of all members of the Security Council to consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups or entities involved in or associated with terrorist activities, other than those designated by the Al-Qaida/Taliban Sanctions Committee, including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing of their financial assets, preventing their movement through the territories of Member States, preventing supply to them of all types of arms and related material, and on the procedures for implementing these measures;

10. *Requests* further the working group, established under paragraph 9 to consider the possibility of establishing an international fund to compensate victims of terrorist acts and their families, which might be financed through voluntary contributions, which could consist in part of assets seized from terrorist organizations, their members and sponsors, and submit its recommendations to the Council;

11. *Requests* the Secretary-General to take, as a matter of urgency, appropriate steps to make the CTED fully operational and to inform the Council by 15 November 2004;

12. *Decides* to remain actively seized of the matter.



Security Council

Distr.: General
29 July 2005

Resolution 1617 (2005)

Adopted by the Security Council at its 5244th meeting, on 29 July 2005

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004 and 1566 (2004) of 8 October 2004, and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed; and reiterating its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban — and associated individuals, groups, undertakings and entities — for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Expressing its concern over the use of various media, including the Internet, by Al-Qaida, Usama bin Laden, and the Taliban, and their associates, including for terrorist propaganda and inciting terrorist violence, and urging the working group established pursuant to resolution 1566 (2004) to consider these issues,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Emphasizing the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to the Taliban or Al-Qaida, and any individuals, groups, undertakings or entities associated with Al-Qaida, Usama bin Laden or the Taliban, who have participated in financing, planning, facilitating, recruiting for, preparing, perpetrating, or otherwise supporting terrorist activities or acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Stressing the importance of clarifying which individuals, groups, undertakings and entities are subject to listing in light of information regarding the changing

nature of, and threat from, Al-Qaida, particularly as reported by the Analytical Support and Sanctions Monitoring Team ("Monitoring Team"),

Underscoring the importance of Member State designations pursuant to relevant resolutions and robust implementation of existing measures as a significant preventive measure in combating terrorist activity,

Noting that, in giving effect to the measures in paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Welcoming the efforts of the International Civil Aviation Organization to prevent travel documents from being made available to terrorists and their associates,

Encouraging Member States to work in the framework of Interpol, in particular through the use of the Interpol database of stolen and lost travel documents, to reinforce the implementation of the measures against Al-Qaida, Usama bin Laden, and the Taliban, and their associates,

Expressing its concern over the possible use by Al-Qaida, Usama bin Laden, or the Taliban, and their associates of Man-Portable Air Defence Systems (MANPADS), commercially available explosives and chemical, biological, radiation or nuclear weapons and material, and encouraging Member States to consider possible action to reduce these threats,

Urging all States, international bodies, and regional organizations to allocate sufficient resources, including through international partnership, to meet the ongoing and direct threat posed by Al-Qaida, Usama bin Laden and the Taliban, and individuals, groups, undertakings and entities associated with them,

Stressing the importance of meeting the ongoing threat that Al-Qaida, Usama bin Laden and the Taliban, and individuals, groups, undertakings and entities associated with them represent to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, by their nationals or by any persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process

or the Committee established pursuant to resolution 1267 (1999) ("the Committee") determines on a case-by-case basis only that entry or transit is justified:

(c) Prevent the direct or indirect supply, sale or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities.

2. *Further decides* that acts or activities indicating that an individual, group, undertaking, or entity is "associated with" Al-Qaida, Usama bin Laden or the Taliban include:

– participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

– supplying, selling or transferring arms and related materiel to;

– recruiting for; or

– otherwise supporting acts or activities of;

Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further decides* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Decides* that, when proposing names for the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and henceforth also shall provide to the Committee a statement of case describing the basis of the proposal; and further encourages States to identify any undertakings and entities owned or controlled, directly or indirectly, by the proposed subject;

5. *Requests* relevant States to inform, to the extent possible, and in writing where possible, individuals and entities included in the Consolidated List of the measures imposed on them, the Committee's guidelines, and, in particular, the listing and delisting procedures and the provisions of resolution 1452 (2002);

6. *Decides* that the statement of case submitted by the designating State referred to in paragraph 4 above may be used by the Committee in responding to queries from Member States whose nationals, residents or entities have been included on the Consolidated List; decides also that the Committee may decide on a case-by-case basis to release the information to other parties, with the prior consent of the designating State, for example, for operational reasons or to aid the implementation of the measures; decides also that States may continue to provide additional information which shall be kept on a confidential basis within the Committee unless the submitting State agrees to the dissemination of such information;

7. *Strongly urges* all Member States to implement the comprehensive, international standards embodied in the Financial Action Task Force's (FATF) Forty

Recommendations on Money Laundering and the FATF Nine Special Recommendations on Terrorist Financing;

8 *Requests* the Secretary-General to take the necessary steps to increase cooperation between the United Nations and Interpol in order to provide the Committee with better tools to fulfil its mandate more effectively and to give Member States better tools to implement the measures referred to in paragraph 1 above;

9. *Urges* all Member States, in their implementation of the measures called for in paragraph 1 above, to ensure that stolen and lost passports and other travel documents are invalidated as soon as possible and share information on those documents with other Member States through the Interpol database;

10. *Calls* on all Member States to use the checklist contained in annex II of this resolution to report by 1 March 2006 to the Committee on specific actions that they have taken to implement the measures outlined in paragraph 1 above with regard to individuals and entities henceforth added to the Consolidated List, and thereafter at intervals to be determined by the Committee;

11. *Directs* the Committee to encourage the submission of names and additional identifying information from Member States for inclusion on the Consolidated List;

12. *Calls upon* the Committee, working in cooperation with the Committee established pursuant to resolution 1373 (the "Counter-Terrorism Committee" or "CTC") to inform the Council of specific additional steps that States could take to implement the measures outlined in paragraph 1 above;

13. *Reiterates* the need for ongoing close cooperation and exchange of information among the Committee, the CTC, and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information sharing, coordinated visits to countries, technical assistance, and other issues of relevance to all three committees;

14. *Further reiterates* the importance of having the Committee follow up via oral and/or written communications with Member States regarding effective implementation of the sanctions measures and provide Member States with an opportunity, at the Committee's request, to send representatives to meet the Committee for more in-depth discussion of relevant issues;

15. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003) and 1526 (2004);

16. *Requests* the Committee to report orally, through its Chairman, at least every 120 days to the Council on the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of the CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

17. *Reminds* the Committee of its responsibilities as outlined in paragraph 14 of resolution 1455 (2003) and paragraph 13 of resolution 1526 (2004), and calls

upon the Committee to provide the Council no later than 31 July 2006 with an update of the written assessment referred to in paragraph 13 of resolution 1526 (2004) of actions taken by Member States to implement the measures described in paragraph 1 above;

18. *Requests* that the Committee continue its work on the Committee's guidelines, including on listing and delisting procedures, and implementation of resolution 1452 (2002) and requests the Chairman, in his periodic reports to the Council pursuant to paragraph 16 above, to provide progress reports on the Committee's work on these issues;

19. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the New York-based Monitoring Team for a period of 17 months, under the direction of the Committee with the responsibilities outlined in annex I;

20. *Requests* the Secretary-General, upon adoption of this resolution and acting in close consultation with the Committee, to appoint, consistent with United Nations rules and procedures, no more than eight members, including a coordinator, to the Monitoring Team, taking into account the areas of expertise referred to in paragraph 7 of resolution 1526 (2004);

21. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in 17 months, or sooner if necessary;

22. *Decides* to remain actively seized of the matter.

Annex I to resolution 1617 (2005)

In accordance with paragraph 19 of this resolution, the Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(a) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(b) To submit a comprehensive programme of work to the Committee for its approval and review, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the CTC's Counter-Terrorism Executive Directorate to avoid duplication and reinforce synergies;

(c) To submit, in writing, three comprehensive, independent reports to the Committee, the first by 31 January 2006, the second by 31 July 2006, and the third by 10 December 2006, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures, as well as reporting on listing, de-listing, and exemptions pursuant to resolution 1452 (2003);

(d) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of this resolution, and other information submitted by Member States to the Committee as instructed by the Committee;

(e) To work closely and share information with the CTC's Counter-Terrorism Executive Directorate and the 1540 Committee's group of experts to identify areas of convergence and to help facilitate concrete coordination among the three Committees;

(f) To develop a plan to assist the Committee with addressing non-compliance with the measures referred to in paragraph 1 of this resolution;

(g) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(h) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(i) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;

(j) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it;

(k) To consult with Member States, including regular dialogue with representatives in New York and in capitals, taking into account comments from Member States, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (c) of this annex;

(l) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(m) To assist the Committee in preparing oral and written assessments to the Council, in particular the analytical summaries referred to in paragraphs 17 and 18 of this resolution;

(n) Any other responsibility identified by the Committee.

Annex II to resolution 1617 (2005)

1267 Committee Checklist

Please provide to the United Nations 1267 (Al-Qaida/Taliban Sanctions) Committee by XXX date information on the following individuals, groups, undertakings, and entities added in the last six months to the Committee's Consolidated List of those subject to the sanctions described in Security Council Resolution 1267 (1999) and successor resolutions.

This information is provided by the Government of ______________ on XXX date.

	YES	NO
1. Mr. Doe (Number ____ on Consolidated List)		
A. Name added to visa lookout list?		
B. Any visas denied?		
C. Financial institutions notified?		
D. Any assets frozen?		
E. Arms embargo ban implemented?		
F. Any attempts to purchase arms?		

Additional information, if available:

	YES	NO
2. The Doe Corp. (Number ____ on Consolidated List)		
A. Financial institutions notified?		
B. Any assets frozen?		
C. Arms embargo ban implemented?		
D. Any attempts to purchase arms?		

Additional information, if available:



Security Council

Distr.: General
22 December 2006

Resolution 1735 (2006)

Adopted by the Security Council at its 5609th meeting, on 22 December 2006

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004, 1566 (2004) of 8 October 2004, 1617 (2005) of 29 July 2005, 1624 (2005) of 14 September 2005, and 1699 (2006) of 8 August 2006, and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed; and reiterating its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban, and other individuals, groups, undertakings, and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Expressing its deep concern about the increased violent and terrorist activities in Afghanistan of the Taliban and Al-Qaida, and other individuals, groups, undertakings, and entities associated with them,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Emphasizing that dialogue between the Committee established pursuant to resolution 1267 (1999) ("the Committee") and Member States is vital to the full implementation of the measures,

Recognizing that one of the most effective means of dialogue between the Committee and Member States is through direct contact, including country visits,

Welcoming the expanded cooperation with Interpol, including the establishment of "Interpol — UN Security Council Special Notices" and the passage of resolution 1699 (2006), and encouraging Member States to work in the framework of Interpol and other international and regional organizations in order to reinforce the implementation of the measures against Al-Qaida, Usama bin Laden, and the Taliban, and other individuals, groups, undertakings and entities associated with them,

Noting the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Reiterating that the measures referred to in paragraph 1 below, are preventative in nature and are not reliant upon criminal standards set out under national law,

Underscoring that, in giving effect to the measures in paragraph 1 of resolution 1617 (2005) and other relevant resolutions, full account is to be taken of the provisions regarding exemptions in paragraphs 1 and 2 of resolution 1452 (2002),

Taking note of the Committee's document on the arms embargo (SCA/2/06(20)), which is intended to be a useful tool to assist States in the implementation of the measures in paragraph 1(c) of this resolution,

Expressing its deep concern about criminal misuse of the internet by Al-Qaida, Usama bin Laden, and the Taliban, and other individuals, groups, undertakings, and entities associated with them, in furtherance of terrorist acts,

Noting with concern the changing nature of the threat presented by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, in particular the ways in which terrorist ideologies are promoted,

Stressing the importance of meeting all aspects of the threat that Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them represent to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly

or indirectly, for such persons' benefit, or by their nationals or by persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee established pursuant to resolution 1267 (1999) ("the Committee") determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. *Reminds* States of their obligation to freeze without delay the funds and other financial assets or economic resources pursuant to paragraph 1 (a) of this resolution;

3. *Confirms* that the requirements in paragraph 1 (a) of this resolution apply to economic resources of every kind;

4. *Calls upon* States to redouble their efforts to implement the measure in paragraph 1 (b) and 1 (c) of this resolution;

Listing

5. *Decides* that, when proposing names to the Committee for inclusion on the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and paragraph 4 of resolution 1617 (2005) and provide a statement of case; the statement of case should provide as much detail as possible on the basis(es) for the listing, including: (i) specific information supporting a determination that the individual or entity meets the criteria above; (ii) the nature of the information and (iii) supporting information or documents that can be provided; States should include details of any connection between the proposed designee and any currently listed individual or entity;

6. *Requests* designating States, at the time of submission, to identify those parts of the statement of case which may be publicly released for the purposes of notifying the listed individual or entity, and those parts which may be released upon request to interested States;

7. *Calls upon* States to use the cover sheet attached in Annex I when proposing names for the Consolidated List, in order to ensure clarity and consistency in requests for listing;

8. *Directs* the Committee to encourage the submission of names from Member States for inclusion on the Consolidated List;

9. *Directs* the Committee to encourage States to submit additional identifying and other information on listed individuals and entities, including

updates on assets frozen and the movement of listed individuals as such information becomes available;

10. *Decides* that the Secretariat shall, after publication but within two weeks after a name is added to the Consolidated List. notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), and include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as set forth in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions of resolution 1452 (2002);

11. *Calls upon* States receiving notification as in paragraph 10 to take reasonable steps according to their domestic laws and practices to notify or inform the listed individual or entity of the designation and to include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, the provisions of resolution 1452 (2002);

12. *Encourages* States to submit to the Committee for inclusion on the Consolidated List names of individuals and entities participating in the financing or support of acts or activities of Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005), by any means, including but not limited to using proceeds derived from illicit cultivation, production, and trafficking of narcotic drugs originating in Afghanistan, and their precursors;

Delisting

13. *Decides* that the Committee shall continue to develop, adopt, and apply guidelines regarding the de-listing of individuals and entities on the Consolidated List;

14. *Decides* that the Committee, in determining whether to remove names from the Consolidated List, may consider, among other things, (i) whether the individual or entity was placed on the Consolidated List due to a mistake of identity, or (ii) whether the individual or entity no longer meets the criteria set out in relevant resolutions, in particular resolution 1617 (2005); in making the evaluation in (ii) above, the Committee may consider, among other things, whether the individual is deceased, or whether it has been affirmatively shown that the individual or entity has severed all association, as defined in resolution 1617 (2005), with Al-Qaida, Usama bin Laden, the Taliban, and their supporters, including all individuals and entities on the Consolidated List;

Exemptions

15. *Decides* to extend the period for consideration by the Committee of notifications submitted pursuant to paragraph 1 (a) of resolution 1452 (2002) from 48 hours to 3 working days;

16. *Reiterates* that the Committee must make a negative decision on notifications submitted pursuant to paragraph 1 (a) of resolution 1452 (2002), in order to prevent the release of funds and other financial assets or economic

resources that have been determined by the notifying State(s) to be necessary for basic expenses;

17. *Directs* the Committee to review its guidelines with respect to the provisions of paragraph 1(a) of resolution 1452 (2002) as reiterated in paragraph 15 above;

18. *Encourages* States that submit requests to the Committee, pursuant to paragraph 1 (b) of resolution 1452 (2002), to report in a timely way on the use of such funds, with a view to preventing such funds from being used to finance terrorism;

Measures Implementation

19. *Encourages* States to identify, and if necessary introduce, adequate procedures to fully implement all aspects of the measures described in paragraph 1 of this resolution;

20. *Stresses* that the measures imposed by paragraph 1(a) of this resolution apply to all forms of financial resources, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them;

21. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above, and requests the Chairman, in his periodic reports to the Council pursuant to paragraph 31 below, to provide progress reports on the Committee's work on this issue;

22. *Requests* States to ensure that the most up to date version of the Consolidated List is promptly made available to relevant Government offices and other relevant bodies, in particular, those offices responsible for the assets freeze and border control;

23. *Requests* the Secretary General to take the necessary steps to increase cooperation between the United Nations and relevant international and regional organisations, including Interpol, ICAO, IATA, and the WCO, in order to provide the Committee with better tools to fulfil its mandate more effectively and to give Member States better tools to implement the measures referred to in paragraph 1 of this resolution;

Taliban

24. *Encourages* States to submit names of individuals and entities currently associated with the Taliban to the Committee for inclusion on the Consolidated List;

25. *Directs* the Committee to encourage States to provide additional identifying and other information on listed Taliban individuals and entities;

26. *Directs* the Committee to work, in accordance with its guidelines, to consider requests for inclusion on the Consolidated List, names of individuals and entities associated with the Taliban, and to consider petitions for the removal of listed members and/or associates of the Taliban who are no longer associated with the Taliban;

Coordination

27. *Reiterates* the need for ongoing close cooperation and exchange of information among the Committee, the Counter Terrorism Committee ("CTC"), and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information sharing, coordinated visits to countries, technical assistance, and other issues of relevance to all three committees;

Outreach

28. *Further reiterates* the importance of having the Committee follow up via oral and/or written communications with Member States regarding effective implementation of the sanctions measures;

29. *Strongly encourages* Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues;

30. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004) and 1617 (2005);

31. *Requests* the Committee to report orally, through its Chairman, at least every 180 days to the Council on the overall work of the Committee and the Analytical Support and Sanctions Monitoring Team ("Monitoring Team"), and, as appropriate, in conjunction with the reports by the Chairmen of the CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team and Reviews

32. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the current New York-based Monitoring Team, appointed by the Secretary-General pursuant to paragraph 20 of resolution 1617 (2005), for a further period of 18 months, under the direction of the Committee with the responsibilities outlined in Annex II, and requests the Secretary-General to make the necessary arrangements to this effect;

33. *Decides* to review the measures described in paragraph 1 of this resolution with a view to their possible further strengthening in 18 months, or sooner if necessary;

34. *Decides* to remain actively seized of the matter.

Annex I — Coversheet

CONSOLIDATED LIST: COVER SHEET FOR MEMBER STATE SUBMISSIONS TO THE COMMITTEE

Please complete as many of the following fields as possible:

I. IDENTIFIER INFORMATION — for Individuals

Where possible, note the nationality or cultural or ethnic sources of names aliases. Provide all available spellings.		Surname/ Family Name/ Last Name	First Name	Additional name (e.g. father's name or middle name), where applicable	Additional name (e.g. grandfather's name), where applicable	Additional name, where applicable	Additional name, where applicable
Full Name: (in original and Latin script)							
Aliases/"Also Known As" (A.K.A.s): Note whether it is a strong or weak alias.	Current						
	Former						

Other nom de guerre, pseudonym:		Title: Honorary, professional, or religious title	
Employment/Occupation: Official title/position		Nationality/ Citizenship:	
Date of Birth: (DD/MM/YYYY)		Passport Details: (Number, issuing date & country, expiry date)	
Alternative Dates of Birth (if any): (DD/MM/YYYY)		National Identification Number(s), Type(s): (e.g. Identity card, Social Security)	
Place of Birth: (provide all known details including city, region, province/state, country)		Address(es): (provide all known details, including street address, city, province/state, country)	
Alternative Place(s) of Birth (if any): (city, region, province/state, country)		Previous Address(es): (provide all known details, including street address, city, province/state, country)	
Gender:		Languages spoken:	
Father's full name:		Mother's full name:	
Current location:		Previous location(s):	

Undertakings and entities owned or controlled, directly or indirectly by the individual (see UNSCR 1617 (2005), para. 3):	
Website Addresses:	
Other relevant detail: (such as physical description, distinguishing marks and characteristics)	

IDENTIFIER INFORMATION — For Groups, Undertakings, or Entities

Name:	
Also Known As (A.K.A.s): Where possible, note whether it is a strong or weak A.K.A	Now Known As (N.K.A.s)
	Formerly Known As (F.K.A.s)
Address(es): Headquarters and/or branches. Provide all known details, including street address, city, province/state, country	
Tax Identification Number: (or local equivalent, type)	
Other Identification Number and type:	
Website Addresses:	

Other Information

II. BASIS FOR LISTING

May the Committee publicly release the following information? *Yes* *No*

May the Committee release the following information to Member States? *Yes* *No*

Complete one or more of the following:

	(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of Al-Qaida (AQ), Usama bin Laden (UBL), or the Taliban, or any cell, affiliate, splinter group or derivative thereof[3] • Name(s) of cell, affiliate, splinter group or derivate thereof.
	(b) supplying, selling or transferring arms and related materiel to AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof[3] • Name(s) of cell, affiliate, splinter group or derivate thereof.

	(c) recruiting for AQ, UBL or the Taliban or any cell, af[illegible] splinter group or derivative thereof • Name(s) of cell, affiliate, splinter group or de[illegible] thereof
	(d) otherwise supporting acts or activities of AQ, UBL or the Taliban or any cell, affiliate, splinter group or derivative thereof • Name(s) of cell, affiliate, splinter group, or derivate thereof
	(e) Other association with AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof • Briefly explain nature of association and provide name of cell, affiliate, splinter group or derivate thereof
	(f) Entity owned or controlled, directly or indirectly, by, or otherwise supporting, an individual or entity on the Consolidated List[2] • Name(s) of individual or entity on the Consolidated List

Please attach a Statement of the Case which should provide as much detail as possible on the basis(es) for listing indicated above, including: (1) specific information supporting the association or activities alleged; (2) the nature of the information (e.g., intelligence, law enforcement, judicial, media, admissions by subject, etc.) and (3) supporting information or documents that can be provided. Include details of any connection with a currently listed individual or entity. Indicate what portion(s) of the Statement of Case the Committee may publicly release or release to Member States.

[1] S/RES/1617 (2005), para. 2.
[2] S/RES/1617 (2005), para. 3.

III. POINT OF CONTACT *The individual(s) below may serve as a point-of-contact for further questions on this case:* (THIS INFORMATION SHALL REMAIN CONFIDENTIAL)	
Name:	*Position/Title:*

Annex II

In accordance with paragraph 32 of this resolution, the Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

a. To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measures in paragraph 1(a) of this resolution as it pertains to preventing the criminal misuse of the internet by Al-Qaida, Usama bin Laden, the Taliban, and other individuals groups, undertakings, and entities associated with them, to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

b. To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities, envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the CTC's Executive Directorate ("CTED") and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

c. To submit, in writing, two comprehensive, independent reports to the Committee, one by 30 September 2007 and the other by 31 March 2008, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

d. To analyze reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee as instructed by the Committee;

e. To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

f. To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

g. To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

h. To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

i. To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;

j. To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

k. To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph c of this annex;

l. To consult with Member States' intelligence and security services, including through regional fora, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

m. To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

n. To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

o. To assist other subsidiary bodies of the Security Council, and their expert panels, upon request with enhancing their cooperation with Interpol, referred to in resolution 1699 (2006);

p. To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

q. Any other responsibility identified by the Committee.



Security Council

Distr.: General
30 June 2008

Resolution 1822 (2008)

Adopted by the Security Council at its 5928th meeting, on 30 June 2008

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), and 1735 (2006), and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and *reiterating* its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban, and other individuals, groups, undertakings, and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee, and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Welcoming the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/60/288) of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Reiterating its deep concern about the increased violent and terrorist activities in Afghanistan of the Taliban and Al-Qaida and other individuals, groups, undertakings and entities associated with them,

Recalling its resolution 1817 (2008) and *reiterating* its support for the fight against illicit production and trafficking of drugs from and chemical precursors to Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries,

Expressing its deep concern about criminal misuse of the Internet by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, in furtherance of terrorist acts,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Urging all Member States, international bodies, and regional organizations to allocate sufficient resources to meet the ongoing and direct threat posed by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, including by participating actively in identifying which individuals, groups, undertakings and entities should be subject to the measures referred to in paragraph 1 of this resolution,

Reiterating that dialogue between the Committee established pursuant to resolution 1267 (1999) ("the Committee") and Member States is vital to the full implementation of the measures,

Taking note of challenges to measures implemented by Member States in accordance with the measures referred to in paragraph 1 of this resolution and *recognizing* continuing efforts of Member States and the Committee to ensure that fair and clear procedures exist for placing individuals, groups, undertakings, and entities on the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List") and for removing them, as well as for granting humanitarian exemptions,

Reiterating that the measures referred to in paragraph 1 of this resolution, are preventative in nature and are not reliant upon criminal standards set out under national law,

Emphasizing the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to the Taliban or Al-Qaida, and any individuals, groups, undertakings or entities associated with Al-Qaida, Usama bin Laden or the Taliban, who have participated in financing, planning, facilitating, recruiting for, preparing, perpetrating, or otherwise supporting terrorist activities or acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Welcoming the establishment by the Secretary-General pursuant to resolution 1730 (2006) of the Focal Point within the Secretariat to receive delisting requests, and *taking note* with appreciation of the ongoing cooperation between the Focal Point and the Committee,

Welcoming the continuing cooperation of the Committee and INTERPOL, in particular on the development of Special Notices, which assists Member States in their implementation of the measures, and recognizing the role of the Analytical

Support and Sanctions Implementation Monitoring Team ("the Monitoring Team") in this regard,

Welcoming the continuing cooperation of the Committee with the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, to assist Member States in implementing their obligations under this and other relevant resolutions and international instruments,

Noting with concern the continued threat posed to international peace and security by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, and *reaffirming* its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4(b) of resolution 1267 (1999), paragraph 8(c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, or by their nationals or by persons within their territory:

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified:

(c) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking, or entity is "associated with" Al-Qaida, Usama bin Laden or the Taliban include:

(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) supplying, selling or transferring arms and related materiel to;

(c) recruiting for; or

(d) otherwise supporting acts or activities of:

Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further reaffirms* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1(a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings, or entities associated with them;

5. *Encourages* Member States to continue their efforts to act vigorously and decisively to cut the flow of funds and other financial assets and economic resources to Al-Qaida, Usama bin Laden and the Taliban and other individuals, group, undertakings and entities associated with them;

6. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

7. *Reaffirms* the provisions regarding available exemptions to the measures in paragraph 1(a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and *reminds* Member States to use the procedures for exemptions as set out in the Committee's guidelines;

8. *Reiterates* the obligation of all Member States to implement and enforce the measures set out in paragraph 1 above, and *urges* all States to redouble their efforts in this regard;

Listing

9. *Encourages* all Member States to submit to the Committee for inclusion on the Consolidated List names of individuals, groups, undertakings, and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above;

10. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation, production, and trafficking of narcotic drugs originating in Afghanistan, and their precursors;

11. *Reiterates* its call for continued cooperation between the Committee and the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan (UNAMA), including by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban as described in paragraph 30 of resolution 1806 (2008);

12. *Reaffirms* that, when proposing names to the Committee for inclusion on the Consolidated List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and provide a detailed statement of case, and *decides further* that for each such proposal Member States shall identify those parts of the statement of case that may be publicly released, including for use by the Committee for development of the summary described in paragraph 13 below or for the purpose of notifying or informing the listed individual or entity, and those parts which may be released upon request to interested States:

13. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, after a name is added to the Consolidated List, to make accessible on the Committee's website a narrative summary of reasons for listing for the corresponding entry or entries on the Consolidated List, and *further directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website narrative summaries of reasons for listing for entries that were added to the Consolidated List before the date of adoption of this resolution;

14. *Calls upon* Member States, when proposing names to the Committee for inclusion on the Consolidated List to use the cover sheet in annex I of resolution 1735 (2006) and requests that they provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the positive identification of individuals, groups, undertakings, and entities by Member States, and directs the Committee to update the cover sheet in line with the provisions outlined in paragraphs 12 and 13 above;

15. *Decides* that the Secretariat shall, after publication but within one week after a name is added to the Consolidated List, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals; the country of which the person is a national (to the extent this information is known) in accordance with paragraph 10 of resolution 1735 (2006);

16. *Underlines* the need for the prompt update of the Consolidated List on the Committee's website;

17. *Demands* that Member States receiving notification as in paragraph 15 above take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification a copy of the publicly releasable portion of the statement of case, any information on reasons for listing available on the Committee's website, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions of resolution 1452 (2002) regarding available exemptions;

18. *Encourages* Member States receiving notification as in paragraph 15 above to inform the Committee on steps they have taken to implement the measures set out in paragraph 1 above, and on the measures taken in accordance with paragraph 17 above, and further encourages Member States to use the tools provided on the Committee's website to provide this information;

Delisting

19. *Welcomes* the establishment within the Secretariat of the Focal Point, pursuant to resolution 1730 (2006), that provides listed individuals, groups, undertakings or entities with the option to submit a petition for de-listing directly to the Focal Point;

20. *Urges* designating States and States of citizenship and residence to review de-listing petitions received through the Focal Point, in accordance with the procedures outlined in the annex to resolution 1730 (2006), in a timely manner and to indicate whether they support or oppose the request in order to facilitate the Committee's review;

21. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider petitions for the removal from the Consolidated List of members and/or associates of the Al-Qaida, Usama bin Laden, the Taliban who no longer meet the criteria established in the relevant resolutions;

22. *Directs* the Committee to consider an annual review of the names on the Consolidated List of individuals reported to be deceased, in which the names are circulated to the relevant states pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate:

23. *Decides* that the Secretariat shall, within one week after a name is removed from the Consolidated List, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), and *demands* that States receiving such notification take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner;

Review and maintenance of the Consolidated List

24. *Encourages* all Member States, in particular designating states and states of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings, and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

25. *Directs* the Committee to conduct a review of all names on the Consolidated List at the date of adoption of this resolution by 30 June 2010 in which the relevant names are circulated to the designating states and states of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

26. *Further directs* the Committee, upon completion of the review described in paragraph 25 above, to conduct an annual review of all names on the Consolidated List that have not been reviewed in three or more years, in which the relevant names are circulated to the designating states and states of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee

guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

Measures implementation

27. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above;

28. *Encourages* the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Consolidated List and for removing them as well as for granting humanitarian exemptions, and directs the Committee to keep its guidelines under active review in support of these objectives;

29. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 6, 12, 13, 17, 22, and 26 above;

30. *Encourages* Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues and welcomes voluntary briefings from interested Member States on their efforts to implement the measures referred to in paragraph 1 above, including particular challenges that hinder full implementation of the measures;

31. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

32. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and *requests* the Chairman, in periodic reports to the Council pursuant to paragraph 38 below, to provide progress reports on the Committee's work on this issue;

33. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen, and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

34. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen, and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

Coordination and outreach

35. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter Terrorism Committee (CTC), and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on technical

assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, and *expresses its intention* to provide guidance to the committees on areas of common interest in order better to coordinate their efforts;

36. *Encourages* the Monitoring Team, and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with CTED and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing subregional workshops;

37. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), and 1735 (2006);

38. *Requests* the Committee to report orally, through its Chairman, at least every 180 days to the Council on the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of the CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team

39. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the current New York-based Monitoring Team, appointed by the Secretary-General pursuant to paragraph 20 of resolution 1617 (2005), for a further period of 18 months, under the direction of the Committee with the responsibilities outlined in Annex 1, and requests the Secretary-General to make the necessary arrangements to this effect;

Reviews

40. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in 18 months, or sooner if necessary;

41. *Decides* to remain actively seized of the matter.

Ann

In accordance with paragraph 39 of this resolution, the Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 28 February 2009 and the second by 31 July 2009, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee as instructed by the Committee;

(c) To assist the Committee in following-up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(d) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities, envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the CTC's Executive Directorate ("CTED") and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(e) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(f) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

(g) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(h) To present to the Committee recommendations, which could be used by member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(i) To assist the Committee in compiling publicly releasable information referred to in paragraph 13;

(j) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

(k) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;

(l) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Consolidated List as updated and accurate as possible;

(m) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

(n) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1(a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(o) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this Annex;

(p) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(q) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(r) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

(s) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;

(t) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);

(u) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(v) Any other responsibility identified by the Committee.



Security Council

Distr.: General
17 December 2009

Resolution 1904 (2009)

Adopted by the Security Council at its 6247th meeting, on 17 December 2009

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), and 1822 (2008), and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and *reiterating* its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban and other individuals, groups, undertakings and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Expressing concern at the increase in incidents of kidnapping and hostage-taking by individuals, groups, undertakings and entities associated with Al-Qaida, Usama bin Laden or the Taliban with the aim of raising funds, or gaining political concessions,

Reiterating its support for the fight against illicit production and trafficking of drugs from, and chemical precursors to Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Urging all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List") by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of this resolution,

Taking note of challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of this resolution, *welcoming* improvements to the Committee's procedures and the quality of the Consolidated List, and *expressing* its intent to continue efforts to ensure that procedures are fair and clear,

Reiterating that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law,

Recalling the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/60/288) of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Welcoming the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity building, and all other United Nations bodies, and encouraging further engagement with the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counterterrorism efforts of the United Nations system,

Noting with concern the continued threat posed to international peace and security ten years after the adoption of resolution 1267 (1999) by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, and *reaffirming* its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List");

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by

persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance, or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking, or entity is associated with Al-Qaida, Usama bin Laden or the Taliban include:

(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) supplying, selling or transferring arms and related materiel to;

(c) recruiting for; or

(d) otherwise supporting acts or activities of Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further reaffirms* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1(a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Usama bin Laden, or the Taliban and other individuals, groups, undertakings, or entities associated with them;

5. *Confirms* further that the requirements in paragraph 1(a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Consolidated List;

6. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

7. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1(a) above, set out in paragraphs 1

and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and *directs* the Committee to review the procedures for exemptions as set out in the Committee's guidelines to facilitate their use by Member States and to continue to ensure that humanitarian exemptions are granted expeditiously and transparently;

Listing

8. *Encourages* all Member States to submit to the Committee for inclusion on the Consolidated List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, Usama bin Laden or the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above, and further *encourages* Member States to appoint a national contact point concerning entries on the Consolidated List;

9. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation, production and trafficking of narcotic drugs originating particularly in Afghanistan, and their precursors;

10. *Reiterates* its call for continued cooperation between the Committee and the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan (UNAMA), including by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban as described in paragraph 30 of resolution 1806 (2008);

11. *Reaffirms* that, when proposing names to the Committee for inclusion on the Consolidated List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008) and provide a detailed statement of case, and *decides further* that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 14 below;

12. *Encourages* Member States proposing a new designation, as well as Member States that have proposed names for inclusion on the Consolidated List before the adoption of this resolution, to specify whether the Committee may make known, upon request from a Member State, the Member State's status as a designating State;

13. *Calls upon* Member States, when proposing names to the Committee for inclusion on the Consolidated List to use the new standard form for listing, once it is adopted and placed on the Committee's website, and *requests* that they provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and *directs* the Committee to update, as necessary, the standard form for listing in accordance with the provisions of this resolution;

14. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the Consolidated List, a narrative summary of reasons for listing for the corresponding entry or entries, and *further directs* the Committee, with the assistance of the Monitoring Team and in

coordination with the relevant designating States, to continue its efforts to make accessible on the Committee's website narrative summaries of reasons for listing for entries that were added to the Consolidated List before the date of adoption of resolution 1822 (2008);

15. *Encourages* Member States and relevant international organizations to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

16. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 14;

17. *Directs* the Committee to amend its Guidelines to extend the period of time for members of the Committee to verify that names proposed for listing merit inclusion in the Consolidated List and include adequate identifying information to ensure full implementation of the measures, with exceptions, at the Committee chair's discretion, for emergency and time-sensitive listings, and *notes* that listing requests may be placed on the Committee's agenda upon request of a Committee member;

18. *Decides* that the Secretariat shall, after publication but within three working days after a name is added to the Consolidated List, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), in accordance with paragraph 10 of resolution 1735 (2006), and *requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Consolidated List;

19. *Reaffirms* further the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraphs 20 and 21 and annex II of this resolution, and the provisions of resolution 1452 (2002) regarding available exemptions;

Delisting/Ombudsperson

20. *Decides* that, when considering delisting requests, the Committee shall be assisted by an Office of the Ombudsperson, to be established for an initial period of 18 months from the date of adoption of this resolution, and *requests* the Secretary-General, in close consultation with the Committee, to appoint an eminent individual of high moral character, impartiality and integrity with high qualifications and experience in relevant fields, such as legal, human rights,

counter-terrorism and sanctions, to be Ombudsperson, with the mandate outlined in annex II of this resolution, and further *decides* that the Ombudsperson shall perform these tasks in an independent and impartial manner and shall neither seek nor receive instructions from any government;

21. *Decides* that, after the appointment of the Ombudsperson, the Office of the Ombudsperson shall receive requests from individuals and entities seeking to be removed from the Consolidated List. in accordance with the procedures outlined in annex II of this resolution, and that, after the appointment of the Ombudsperson. the Focal Point mechanism established in resolution 1730 (2006) shall no longer receive such requests. and *notes* that the Focal Point shall continue to receive requests from individuals and entities seeking to be removed from other sanctions lists;

22. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Consolidated List of members and/or associates of Al-Qaida, Usama bin Laden, or the Taliban who no longer meet the criteria established in the relevant resolutions, which shall be placed on the Committee's agenda upon request of a member of the Committee;

23. *Encourages* States to submit delisting requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities that have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other entities or individuals on the Consolidated List;

24. *Encourages* Member States, when unfreezing the assets of a deceased individual or defunct entity as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

25. *Encourages* the Committee to give due consideration to the opinions of designating State(s), and State(s) of residence, nationality or incorporation when considering delisting requests, and *calls on* Committee members to make every effort to provide their reasons for objecting to such delisting requests;

26. *Requests* the Monitoring Team, upon conclusion of the review pursuant to paragraph 25 of resolution 1822 (2008), to circulate to the Committee every six months a list of individuals on the Consolidated List who are reportedly deceased, along with an assessment of relevant information such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities who would be in a position to receive any unfrozen assets, *directs* the Committee to review these listings to decide whether they remain appropriate, and *encourages* the Committee to remove listings of deceased individuals where credible information regarding death is available;

27. *Decides* that the Secretariat shall, within three working days after a name is removed from the Consolidated List, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), and *demands* that States receiving such notification take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner;

Review and maintenance of the Consolidated List

28. *Encourages* all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

29. *Welcomes* the significant progress made by the Committee in its review of all names on the Consolidated List pursuant to paragraph 25 of resolution 1822 (2008), *directs* the Committee to complete this review by 30 June 2010, and requests that all States concerned respond to requests from the Committee for information relevant to this review no later than 1 March 2010;

30. *Requests* the Monitoring Team to submit a report to the Committee by 30 July 2010 on the outcome of the review described in paragraph 25 of resolution 1822 (2008) and the efforts made by the Committee, Member States and the Monitoring Team to conduct the review;

31. *Requests* the Monitoring Team, upon conclusion of the review described in paragraph 25 of resolution 1822 (2008), to circulate to the Committee annually a list of individuals and entities on the Consolidated List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and *directs* the Committee to review these listings to decide whether they remain appropriate;

32. *Further directs* the Committee, upon completion of the review described in paragraph 25 of resolution 1822 (2008), to conduct an annual review of all names on the Consolidated List that have not been reviewed in three or more years, in which the relevant names are circulated to the designating States and States of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate, and *notes* that the Committee's consideration of a delisting request after the date of adoption of this resolution, pursuant to the procedures set out in annex II of this resolution, should be considered equivalent to a review of that listing;

Measures implementation

33. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above;

34. *Encourages* the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Consolidated List and for removing them as well as for granting humanitarian exemptions, and *directs* the Committee to keep its guidelines under active review in support of these objectives;

35. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 7, 13, 14, 17, 18, 22, 23, 34, and 41;

36. *Encourages* Member States and relevant international organizations to send representatives to meet the Committee for more in-depth discussion of relevant issues and welcomes voluntary briefings from interested Member States on their efforts to implement the measures referred to in paragraph 1 above, including particular challenges that hinder full implementation of the measures;

37. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

38. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and *requests* the Chairman, in periodic reports to the Council pursuant to paragraph 46 below, to provide progress reports on the Committee's work on this issue;

39. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

40. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

41. *Directs* the Committee to amend its guidelines to ensure that no matter is left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, and *further directs* any Committee member that has requested more time to consider a proposal to provide updates after three months of their progress in resolving all pending matters;

42. *Directs* the Committee to conduct a comprehensive review of all issues pending before the Committee as of the date of adoption of this resolution, and further *urges* the Committee and its members to resolve all such pending issues, to the extent possible, by 31 December 2010;

Coordination and outreach

43. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, *expresses its intention* to provide guidance to the committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and *requests*

the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible;

44. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with CTED and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

45. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006) and 1822 (2008);

46. *Requests* the Committee to report orally, through its Chairman, at least every 180 days to the Council on the state of the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team

47. *Decides*, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of 18 months, under the direction of the Committee with the responsibilities outlined in annex I, and requests the Secretary-General to make the necessary arrangements to this effect;

Reviews

48. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in 18 months, or sooner if necessary;

49. *Decides* to remain actively seized of the matter.

Annex I

In accordance with paragraph 47 of this resolution, the Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 30 July 2010, in accordance with paragraph 30 above, and the second by 22 February 2011, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution;

(c) To assist the Committee in regularly reviewing names on the Consolidated List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(d) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee, as instructed by the Committee;

(e) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(f) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(g) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(h) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;

(i) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(j) To present to the Committee recommendations, which could be used by member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(k) To assist the Committee in its consideration of proposals for listing. including by compiling and circulating to the Committee information relevant to the proposed listing. and preparing a draft narrative summary referred to in paragraph 14;

(l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly-reported information on a deceased individual:

(m) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

(n) To coordinate and cooperate with the national counterterrorism focal point or similar coordinating body in the country of visit, where appropriate;

(o) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;

(p) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Consolidated List as updated and accurate as possible;

(q) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

(r) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1(a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, Usama bin Laden and the Taliban. and other individuals, groups, undertakings and entities associated with them; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(s) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this annex;

(t) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(u) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(v) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

(w) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;

(x) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);

(y) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(z) Any other responsibility identified by the Committee.

Annex II

In accordance with paragraph 20 of this resolution, the Office of the Ombudsperson shall be authorized to carry out the following tasks upon receipt of a delisting request submitted by, or on behalf of, an individual, group, undertaking or entity on the Consolidated List ("the petitioner").

Information Gathering (two months)

1. Upon receipt of a delisting request, the Ombudsperson shall:

(a) Acknowledge to the petitioner the receipt of the delisting request;

(b) Inform the petitioner of the general procedure for processing delisting requests;

(c) Answer specific questions from the petitioner about Committee procedures; and,

(d) Inform the petitioner in case the petition fails to properly address the original designation criteria, as set forth in paragraph 2 of this resolution, and return it to the petitioner for his or her consideration;

(e) Verify if the request is a new request or a repeated request and, if it is a repeated request to the Ombudsperson and it does not contain any additional information, return it to the petitioner for his or her consideration.

2. For delisting petitions not returned to the petitioner, the Ombudsperson shall immediately forward the delisting request to the members of the Committee, designating State(s), State(s) of residence and nationality or incorporation, relevant United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within two months, any appropriate additional information relevant to the delisting request. The Ombudsperson may engage in dialogue with these States to determine:

(a) These States' opinions on whether the delisting request should be granted; and,

(b) Information, questions or requests for clarifications that these States would like to be communicated to the petitioner regarding the delisting request, including any information or steps that might be taken by a petitioner to clarify the delisting request.

3. The Ombudsperson shall also immediately forward the delisting request to the Monitoring Team, which shall provide to the Ombudsperson, within two months:

(a) All information available to the Monitoring Team that is relevant to the delisting request, including court decisions and proceedings, news reports, and information that States or relevant international organizations have previously shared with the Committee or the Monitoring Team;

(b) Fact-based assessments of the information provided by the petitioner that is relevant to the delisting request; and,

(c) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the delisting request.

4. At the end of this two-month period of information gathering, the Ombudsperson shall present a written update to the Committee on progress to date, including details regarding which States have supplied information. The Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for information gathering, giving due consideration to requests by Member States for additional time to provide information.

Dialogue (two months)

5. Upon completion of the information gathering period, the Ombudsperson shall facilitate a two-month period of engagement, which may include dialogue with the petitioner. Giving due consideration to requests for additional time, the Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for engagement and the drafting of the Comprehensive Report described in paragraph 7 below.

6. During this period of engagement, the Ombudsperson:

(a) May ask the petitioner questions or request additional information or clarifications that may help the Committee's consideration of the request, including any questions or information requests received from relevant States, the Committee and the Monitoring Team;

(b) Shall forward replies from the petitioner back to relevant States, the Committee and the Monitoring Team and follow up with the petitioner in connection with incomplete responses by the petitioner; and,

(c) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;

7. Upon completion of the period of engagement described above, the Ombudsperson, with the help of the Monitoring Team, shall draft and circulate to the Committee a Comprehensive Report that will exclusively:

(a) Summarize and, as appropriate, specify the sources of, all information available to the Ombudsperson that is relevant to the delisting request. The report shall respect confidential elements of Member States' communications with the Ombudsperson;

(b) Describe the Ombudsperson's activities with respect to this delisting request, including dialogue with the petitioner; and,

(c) Based on an analysis of all the information available to the Ombudsperson and the Ombudsperson's observations, lay out for the Committee the principal arguments concerning the delisting request.

Committee Discussion and Decision (two months)

8. After the Committee has had thirty days to review the Comprehensive Report, the chair of the Committee shall place the delisting request on the Committee's agenda for consideration.

9. When the Committee considers the delisting request, the Ombudsperson, aided by the Monitoring Team, as appropriate, shall present the Comprehensive Report in person and answer Committee members' questions regarding the request.

10. After the Committee consideration, the Committee shall decide whether to approve the delisting request through its normal decision-making procedures.

11. If the Committee decides to grant the delisting request, then the Committee shall inform the Ombudsperson of this decision. The Ombudsperson shall then inform the petitioner of this decision and the listing shall be removed from the Consolidated List.

12. If the Committee decides to reject the delisting request, then the Committee shall convey to the Ombudsperson its decision including, as appropriate, explanatory comments, any further relevant information about the Committee's decision, and an updated narrative summary of reasons for listing.

13. After the Committee has informed the Ombudsperson that the Committee has rejected a delisting request, then the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, within fifteen days a letter that:

(a) Communicates the Committee's decision for continued listing;

(b) Describes, to the extent possible and drawing upon the Ombudsperson's Comprehensive Report, the process and publicly releasable factual information gathered by the Ombudsperson; and,

(c) Forwards from the Committee all information about the decision provided to the Ombudsperson pursuant to paragraph 12 above.

14. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

Other Office of the Ombudsperson Tasks

15. In addition to the tasks specified above, the Ombudsperson shall:

(a) Distribute publicly releasable information about Committee procedures, including Committee Guidelines, fact sheets and other Committee-prepared documents, to anyone who requests such information;

(b) Where address is known, notify individuals or entities about the status of their listing, after the Secretariat has officially notified the Permanent Mission of the State or States, pursuant to paragraph 18 of this resolution; and,

(c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

الاتفاقيـات الإقليميـــة
فى مجـال
مكافحــة الإرهـــــاب

الاتفاقية العربية لمكافحة الإرهاب

أبرمت فى القاهـرة يوم ٢٢ إبريل ١٩٩٨

الاتفاقية العربية لمكافحة الإرهاب

قرار

إن مجلسى وزراء الداخلية والعدل العرب فى اجتماعهما المنعقد بمقر الأمانة العامة لجامعة الدول العربية بالقاهرة يوم ١٩٩٨/٤/٢٢م.

بعد اطلاعهما على:

-قرار مجلس وزراء العدل العرب رقم (٢٤٩) بتاريخ ١٩٩٧/١١/٢٦م.

-وقرار مجلس وزراء الداخلية العرب رقم (٢٩٠) بتاريخ ١٩٩٨/١/٥م.

-والتوصيات الصادرة عن الاجتماع المشترك للجنتين المنبثقتين عن مجلسى وزراء الداخلية والعدل العرب. والذى انعقد بمقر الأمانة العامة لجامعة الدول العربية بالقاهرة خلال الفترة ١٠-١٩٩٨/٣/١٢م.

-ومشروع الاتفاقية العربية لمكافحة الإرهاب فى صيغته النهائية والصادر عن اللجنتين الوارد وذكرهما أعلاه.

يقرران:

أولا: اعتماد الاتفاقية العربية لمكافحة الارهاب بالصيغة المرفقة، ودعوة الدول الأعضاء الى سرعة المصادقة عليها، وفقا للأنظمة المرعية فيها.

ثانيا: دعوة الدول المتعاقدة لاتخاذ ما يلزم من تدابير لتحقيق ما يلى فى إطار قوانينها الداخلية:

١-تشديد عقوبات الجرائم الإرهابية.

٢-المعاقبة على الشروع فى الجرائم الارهابية بعقوبة الجريمة التامة.

٣-تجميد ومصادرة الأدوات والأموال المتحصلة من الجرائم الإرهابية أو المستعملة فيها أو المتعلقة بها.

ثالثا: تطبيق الأحكام الأكثر تحقيقا للتعاون القضائى والأمنى وأغراض الاتفاقية العربية لمكافحة الإرهاب إذا تعارضت أحكامها مع أحكام أى اتفاقية ثنائية بين دولتين من الدول المتعاقدة.

الاتفاقية العربية لمكافحة الإرهاب

الديباجة

إن الدول العربية الموقعة:

رغبة فى تعزيز التعاون فيما بينها لمكافحة الجرائم الارهابية، التى تهدد أمن الأمة العربية واستقرارها، وتشكل خطرا على مصالحها الحيوية.

والتزاما بالمبادئ الاخلاقية والدينية السامية، ولا سيما أحكام الشريعة الاسلامية، وكذا بالتراث

الانسانى للأمة العربية التى تنبذ كل أشكال العنف والارهاب، وتدعو الى حماية حقوق الانسان، وهى الاحكام التى تتماشى معها مبادئ القانون الدولى وأسسه التى قامت على تعاون الشعوب من أجل اقامة السلام.

والتزاما بميثاق جامعة الدول العربية وميثاق هيئة الأمم المتحدة، وجميع العهود والمواثيق الدولية الأخرى التى تكون الدول المتعاقدة فى هذه الاتفاقية طرفا فيها.

وتأكيدا على حق الشعوب فى الكفاح ضد الاحتلال الاجنبى والعدوان بمختلف الوسائل، بما فى ذلك الكفاح المسلح من أجل تحرير أراضيها، والحصول على حقها فى تقرير مصيرها واستقلالها، وبما يحافظ على الوحدة الترابية لكل بلد عربى، وذلك كله وفقا لمقاصد ومبادىء ميثاق وقرارات الأمم المتحدة.

قد اتفقت على عقد الاتفاقية، داعية كل دولة عربية لم تشارك فى ابرامها الى الانضمام اليها.

الباب الأول

تعاريف وأحكام عامة

المادة الأولى:

يقصد بالمصطلحات التالية التعريف المبين ازاء كل منها:

١- الدولة المتعاقدة:

كل دولة عضو فى جامعة الدول العربية صدقت على هذه الاتفاقية، وأودعت وثائق تصديقها لدى الأمانة العامة للجامعة.

٢- الإرهاب:

كل فعل من أفعال العنف أو التهديد به أيا كانت بواعثه أو أغراضه ، يقع تنفيذا لمشروع اجرامى فردى أو جماعى، يهدف الى القاء الرعب بين الناس، أو ترويعهم بايذائهم أو تعريض حياتهم أو حريتهم أو أمنهم للخطر، أو الحاق الضرر بالبيئة أو بأحد المرافق أو الأملاك العامة أو الخاصة، او احتلالها أو الاستيلاء عليها، أو تعريض أحد الموارد الوطنية للخطر.

٣-الجريمة الارهابية:

هى أى جريمة أو شروع فيها ترتكب تنفيذا لغرض ارهابى فى أى من الدول المتعاقدة، أو على رعاياها أو ممتلكاتها أو مصالحها يعاقب عليها قانونها الداخلى، كما تعد من الجرائم الارهابية الجرائم المنصوص عليها فى الاتفاقيات التالية، عدا ما استثنته منها تشريعات الدول المتعاقدة أو التى لم تصادق عليها:

أ-اتفاقية طوكيو والخاصة بالجرائم والأفعال التى ترتكب على متن الطائرات والموقعة بتاريخ ١٩٦٣/٩/١٤م.

ب- اتفاقية لاهاى بشأن مكافحة الاستيلاء غير المشروع على الطائرات والموقعة بتاريخ ١٦/١٢/١٩٧٠م.

ج- اتفاقية مونتريال الخاصة بقمع الأعمال غير المشروعة الموجهة ضد سلامة الطيران المدنى والموقعة فى ٢٣/٩/١٩٧١ والبروتوكول الملحق بها والموقع فى مونتريال ١٠/٥/١٩٨٤م.

د- اتفاقية نيويورك الخاصة بمنع ومعاقبة الجرائم المرتكبة ضد الأشخاص المشمولين بالحماية الدولية بمن فيهم الممثلون الدبلوماسيون والموقعة فى ١٤/١٢/١٩٧٣م.

هـ- اتفاقية اختطاف واحتجاز الرهائن والموقعة فى ١٧/١٢/١٩٧٩م.

و- اتفاقية الامم المتحدة لقانون البحار لسنة ١٩٨٣م، ما تعلق منها بالقرصنة البحرية.

المادة الثانية:

أ-لا تعد جريمة، حالات الكفاح بمختلف الوسائل، بما فى ذلك الكفاح المسلح ضد الاحتلال الاجنبى والعدوان من أجل التحرر وتقرير المصير، وفقا لمبادىء القانون الدولى، ولا يعتبر من هذه الحالات كل عمل يمس بالوحدة الترابية لأى من الدول العربية.

ب- لا تعد أى من الجرائم الارهابية المشار اليها فى المادة السابقة من الجرائم السياسية.

وفى تطبيق احكام هذه الاتفاقية، لا تعد من الجرائم السياسية- ولو كانت بدافع سياسى- الجرائم الاتية:

١-التعدى على ملوك ورؤساء الدول المتعاقدة والحكام وزوجاتهم أو أصولهم أو فروعهم.

٢-التعدى على أولياء العهد، أو نواب رؤساء الدول، أو رؤساء الحكومات، أو الوزراء فى أى من الدول المتعاقدة.

٣-التعدى على الاشخاص المتمتعين بحماية دولية بمن فيهم السفراء والدبلوماسيون فى الدول المتعاقدة أو المعتمدون لديها.

٤-القتل العمد والسرقة المصحوبة بإكراه ضد الأفراد أو السلطات أو وسائل النقل والمواصلات.

٥-أعمال التخريب والإتلاف للممتلكات العامة والممتلكات المخصصة لخدمة عامة حتى ولو كانت مملوكة لدولة أخرى من الدول المتعاقدة.

٦-جرائم تصنيع أو تهريب أو حيازة الاسلحة أو الذخائر أو المتفجرات أو غيرها من المواد التى تعد لارتكاب جرائم ارهابية.

الباب الثانى

أسس التعاون العربى لمكافحة الإرهاب

الفصل الأول

فى المجال الأمنى

الفرع الأول

تدابير منع ومكافحة الجرائم الإرهابية

المادة الثالثة:

تتعهد الدول المتعاقدة بعدم تنظيم أو تمويل أو ارتكاب الأعمال الارهابية أو الاشتراك فيها بأية صورة من الصور، والتزاما منها بمنع ومكافحة الجرائم الارهابية طبقا للقوانين والاجراءات الداخلية لكل منها فانها تعمل على:

أولا: تدابير المنع:

١-الحيلولة دون اتخاذ أراضيها مسرحا لتخطيط أو تنظيم أو تنفيذ الجرائم الارهابية أو الشروع أو الاشتراك فيها بأية صورة من الصور، بما فى ذلك العمل على منع تسلل العناصر الارهابية اليها أو اقامتها على أراضيها فرادى أو جماعات أو استقبالها أو ايوائها أو تدريبها أو تسليحها أو تمويلها أو تقديم أية تسهيلات لها.

٢-التعاون والتنسيق بين الدول المتعاقدة، وخاصة المتجاورة منها، التى تعانى من الجرائم الارهابية بصورة متشابهة أو مشتركة.

٣-تطوير وتعزيز الانظمة المتصلة بالكشف عن نقل واستيراد وتصدير وتخزين واستخدام الاسلحة والذخائر والمتفجرات وغيرها من وسائل الاعتداء والقتل والدمار. واجراءات مراقبتها عبر الجمارك والحدود لمنع انتقالها من دولة متعاقدة الى اخرى، أو الى غيرها من الدول إلا لأغراض مشروعة على نحو ثابت.

٤-تطوير وتعزيز الانظمة المتصلة باجراءات المراقبة وتأمين الحدود والمنافذ البرية والبحرية والجوية لمنع حالات التسلل منها.

٥-تعزيز نظم تأمين وحماية الشخصيات والمنشآت الحيوية ووسائل النقل العام.

٦-تعزيز الحماية والأمن والسلامة للشخصيات وللبعثات الدبلوماسية والقنصلية والمنظمات الاقليمية والدولية المتعمدة لدى الدولة المتعاقدة وفقا للاتفاقيات الدولية التى تحكم هذا الموضوع.

٧-تعزيز أنشطة الاعلام الأمنى وتنسيقها مع الأنشطة الاعلامية فى كل دولة وفقا لسياستها الاعلامية، وذلك لكشف اهداف الجماعات والتنظيمات الارهابية، واحباط مخططاتها، وبيان

مدى خطورتها على الأمن والاستقرار.

٨-تقوم كل دولة من الدول المتعاقدة، بإنشاء قاعدة بيانات لجمع وتحليل المعلومات الخاصة بالعناصر والجماعات والحركات والتنظيمات الارهابية ومتابعة مستجدات ظاهرة الارهاب، والتجارب الناجحة في مواجهتها، وتحديث هذه المعلومات، وتزويد الاجهزة المختصة في الدول المتعاقدة بها، وذلك في حدود ما تسمح به القوانين والاجراءات الداخلية لكل دولة.

ثانيا- تدابير المكافحة:

١-القبض على مرتكبي الجرائم الارهابية ومحاكمتهم وفقا للقانون الوطني، أو تسليمهم وفقا لاحكام هذه الاتفاقية، أو الاتفاقيات الثنائية بين الدولتين الطالبة والمطلوب اليهم التسليم.

٢-تأمين حماية فعالة للعاملين في ميدان العدالة الجنائية.

٣-تأمين حماية فعالة لمصادر المعلومات عن الجرائم الارهابية والشهود فيها.

٤-توفير ما يلزم من مساعدات لضحايا الارهاب.

٥-إقامة تعاون فعال بين الأجهزة المعنية وبين المواطنين لمواجهة الإرهاب بما في ذلك ايجاد ضمانات وحوافز مناسبة للتشجيع على الابلاغ عن الاعمال الارهابية، وتقديم المعلومات التي تساعد في الكشف عنها والتعاون في القبض على مرتكبيها.

الفرع الثاني

التعاون العربي لمنع ومكافحة الجرائم الإرهابية

المادة الرابعة:

تتعاون الدول المتعاقدة لمنع ومكافحة الجرائم الارهابية، طبقا للقوانين والاجراءات الداخلية لكل دولة، من خلال الاتي:

أولا- تبادل المعلومات:

١-تتعهد الدول المتعاقدة بتعزيز تبادل المعلومات فيما بينها حول:

أ-أنشطة وجرائم الجماعات الارهابية وقياداتها وعناصرها وأماكن تمركزها وتدريبها ووسائل ومصادر تمويلها وتسليحها وأنواع الاسلحة والذخائر والمتفجرات التي تستخدمها، وغيرها من وسائل الاعتداء والقتل والدمار.

ب-وسائل الاتصال والدعاية التي تستخدمها الجماعات الارهابية واسلوب عملها، وتنقلات قياداتها وعناصرها، ووثائق السفر التي تستعملها.

٢-تتعهد كل من الدول المتعاقدة، بإخطار أية دولة متعاقدة أخرى، على وجه السرعة، بالمعلومات المتوفرة لديها عن أية جريمة إرهابية تقع في اقليمها تستهدف المساس بمصالح تلك الدولة أو بمواطنيها، على أن تبين في ذلك الاخطار ما أحاط بالجريمة من ظروف والجناة

فيها وضحاياها والخسائر الناجمة عنها والادوات والأساليب المستخدمة فى ارتكابها، وذلك بالقدر الذى لا يتعارض مع متطلبات البحث والتحقيق.

٣-تتعهد الدول المتعاقدة، بالتعاون فيما بينها لتبادل المعلومات لمكافحة الجرائم الارهابية، وان تبادر بإخطار الدولة أو الدول الاخرى المتعاقدة بكل ما يتوافر لديها من معلومات أو بيانات من شأنها أن تحول دون وقوع جرائم إرهابية على اقليمها أو ضد مواطنيها أو المقيمين فيها أو ضد مصالحها.

٤-تتعهد كل من الدول المتعاقدة، بتزويد أية دولة متعاقدة أخرى. بما يتوافر لديها من معلومات أو بيانات من شأنها:

أ-أن تساعد فى القبض على متهم أو متهمين بارتكاب جريمة ارهابية ضد مصالح تلك الدولة، أو الشروع أو الاشتراك فيها سواء بالمساعدة أو الاتفاق أو التحريض.

ب-أن تؤدى إلى ضبط أية أسلحة أو ذخائر أو متفجرات أو أدوات أو أموال استخدمت أو أعدت للاستخدام فى جريمة ارهابية.

٥-تتعهد الدول المتعاقدة، بالمحافظة على سرية المعلومات المتبادلة فيما بينها، وعدم تزويد أية دولة غير متعاقدة أو جهة أخرى بها، دون أخذ الموافقة المسبقة للدولة مصدر المعلومات.

ثانيا- التحريات:

تتعهد الدول المتعاقدة بتعزيز التعاون فيما بينها، وتقديم المساعدة فى مجال اجراءات التحرى والقبض على الهاربين من المتهمين أو المحكوم عليهم بجرائم ارهابية وفقا لقوانين وانظمة كل دولة.

ثالثا- تبادل الخبرات:

١-تتعاون الدول المتعاقدة، على اجراء وتبادل الدراسات والبحوث لمكافحة الجرائم الارهابية، كما تتبادل ما لديها من خبرات فى مجال المكافحة.

٢-تتعاون الدول المتعاقدة، فى حدود امكانياتها على توفير المساعدات الفنية المتاحة لإعداد برامج أو عقد دورات تدريبية مشتركة، أو خاصة بدولة أو مجموعة من الدول المتعاقدة عند الحاجة، للعاملين فى مجال مكافحة الارهاب، لتنمية قدراتهم العلمية والعملية ورفع مستوى ادائهم.

الفصل الثانى

في المجال القضائي

الفرع الأول

تسليم المجرمين

المادة الخامسة:

تتعهد كل من الدول المتعاقدة بتسليم المتهمين أو المحكوم عليهم في الجرائم الارهابية المطلوب تسليمهم من أى من هذه الدول، وذلك طبقا للقواعد والشروط المنصوص عليها في هذه الاتفاقية.

المادة السادسة:

لا يجوز التسليم في أى من الحالات التالية:

أ-اذا كانت الجريمة المطلوب من أجلها التسليم معتبرة بمقتضى القواعد القانونية النافذة لدى الدولة المتعاقدة المطلوب اليها التسليم، جريمة لها صبغة سياسية.

ب-اذا كانت الجريمة المطلوب من اجلها التسليم تنحصر في الاخلال بواجبات عسكرية.

ج- اذا كانت الجريمة المطلوب من اجلها التسليم، قد ارتكبت في اقليم الدولة المتعاقدة المطلوب اليها التسليم، الا اذا كانت هذه الجريمة قد أضرت بمصالح الدولة المتعاقدة طالبة التسليم، وكانت قوانينها تنص على تتبع مرتكبى هذه الجرائم ومعاقبتهم، ما لم تكن الدولة المطلوب اليها التسليم قد بدأت اجراءات التحقيق أو المحاكمة.

د-اذا كانت الجريمة قد صدر بشأنها حكم نهائى (له قوة الامر المقضى) لدى الدولة المتعاقدة المطلوب اليها التسليم، أو لدى دولة متعاقدة ثالثة.

هـ- اذا كانت الدعوى عند وصول طلب التسليم قد انقضت، أو العقوبة قد سقطت بمضى المدة طبقا لقانون الدولة المتعاقدة طالبة التسليم.

و- اذا كانت الجريمة قد ارتكبت خارج اقليم الدولة المتعاقدة الطالبة من شخص لا يحمل جنسيتها، وكان قانون الدولة المتعاقدة المطلوب اليها التسليم لا يجيز توجيه الاتهام عن مثل هذه الجريمة اذا ارتكبت خارج اقليمه من مثل هذا الشخص.

ز- اذا صدر عفو يشمل مرتكبى هذه الجرائم لدى الدولة المتعاقدة الطالبة.

ح- اذا كان النظام القانونى للدولة المطلوب اليها التسليم لا يجيز لها تسليم مواطنيها، فتلتزم الدولة المطلوب اليها التسليم بتوجيه الاتهام ضد من يرتكب منهم لدى أى من الدول المتعاقدة الاخرى جريمة من الجرائم الارهابية؛ اذا كان الفعل معاقبا عليه في كل من الدولتين بعقوبة

سالبة للحرية لا تقل مدتها عن سنة أو بعقوبة أشد. وتحدد جنسية المطلوب تسليمه بتاريخ وقوع الجريمة المطلوب التسليم من أجلها، ويستعان فى هذا الشأن بالتحقيقات التى أجرتها الدولة طالبة التسليم.

المادة السابعة

اذا كان الشخص المطلوب تسليمه قيد التحقيق أو المحاكمة أو محكوما عليه عن جريمة أخرى فى الدولة المطلوب اليها التسليم، فان تسليمه يؤجل لحين التصرف فى التحقيق أو انتهاء المحاكمة أو تنفيذ العقوبة، ويجوز مع ذلك للدولة المطلوب اليها التسليم تسليمه مؤقتا للتحقيق معه أو محاكمته، بشرط اعادته للدولة التى سلمته قبل تنفيذ العقوبة عليه فى الدولة طالبة التسليم.

المادة الثامنة:

لغرض تسليم مرتكبى الجرائم بموجب هذه الاتفاقية لا يعتد بما قد يكون بين التشريعات الداخلية للدول المتعاقدة من اختلاف فى التكييف القانونى للجريمة، جناية كانت أو جنحة، أو بالعقوبة المقررة لها، بشرط ان تكون معاقبا عليها بموجب قوانين كلتا الدولتين بعقوبة سالبة للحرية لمدة لا تقل عن سنة أو بعقوبة اشد.

الفرع الثانى

الإنابة القضائية

المادة التاسعة:

لكل دولة متعاقدة ان تطلب الى أية دولة أخرى متعاقدة، القيام فى اقليمها نيابة عنها. بأى اجراء قضائى متعلق بدعوى ناشئة عن جريمة ارهابية وبصفة خاصة.

أ-سماع شهادة الشهود والاقوال التى تؤخذ على سبيل الاستدلال.

ب-تبليغ الوثائق القضائية.

ج- تنفيذ عمليات التفتيش والحجز.

د-اجراء المعاينة وفحص الاشياء

هـ- الحصول على المستندات أو الوثائق أو السجلات اللازمة أو نسخ مصدقة منها.

المادة العاشرة:

تلتزم كل من الدول المتعاقدة، بتنفيذ الانابات القضائية المتعلقة بالجرائم الارهابية، ويجوز لها

رفض طلب التنفيذ في أى من الحالتين التاليتين:
أ-اذا كانت الجريمة موضوع الطلب محل اتهام أو تدقيق أو محاكمة لدى الدولة المطلوب اليها تنفيذ الانابة.
ب-اذا كان تنفيذ الطلب من شأنه المساس بسيادة الدولة المكلفة بتنفيذه أو بأمنها أو بالنظام العام فيها.

المادة الحادية عشرة:

ينفذ طلب الانابة وفقا لاحكام القانون الداخلي للدولة المطلوب اليها التنفيذ، وعلى وجه السرعة، ويجوز لهذه الدولة تأجيل التنفيذ حتى استكمال اجراءات التحقيق والتتبع القضائى الجارى لديها في نفس الموضوع، أو زوال الاسباب القهرية التي دعت للتأجيل على ان يتم اشعار الدولة الطالبة بهذا التأجيل.

المادة الثانية عشرة:

أ-يكون للإجراء الذى يتم بطريق الانابة، وفقا لاحكام هذه الاتفاقية، الأثر القانونى ذاته، كما لو تم امام الجهة المختصة لدى الدولة طالبة الانابة.

ب-لا يجوز استعمال ما نتج عن تنفيذ الانابة الا في نطاق ما صدرت الانابة بشأنه.

الفرع الثالث

التعاون القضائى

المادة الثالثة عشرة:

تقدم كل دولة متعاقدة للدول الاخرى المساعدة الممكنة واللازمة لتحقيقات أو اجراءات المحاكمة المتعلقة بالجرائم الارهابية.

المادة الرابعة عشرة:

أ-اذا انعقد الاختصاص القضائى لاحدى الدول المتعاقدة بمحاكمة متهم عن جريمة ارهابية، فيجوز لهذه الدولة ان تطلب الى الدولة التي يوجد المتهم في اقليمها محاكمته عن هذه الجريمة، شريطة موافقة هذه الدولة وان تكون الجريمة معاقبا عليها في دولة المحاكمة بعقوبة سالبة للحرية لا تقل مدتها عن سنة واحدة أو بعقوبة اخرى أشد، وتقوم الدولة الطالبة في هذه الحالة بموافاة الدولة المطلوب منها بجميع التحقيقات والوثائق والأدلة الخاصة بالجريمة.

ب-يجرى التحقيق أو المحاكمة حسب مقتضى الحال عن الواقعة أو الوقائع التي أسندتها الدولة الطالبة الى المتهم، وفقا لاحكام واجراءات قانون دولة المحاكمة.

المادة الخامسة عشرة:

يترتب على تقديم الدولة الطالبة لطلب المحاكمة، وفقا للبند (أ) من المادة السابقة، وقف اجراءات الملاحقة والتحقيق والمحاكمة المتخذة لديها بشأن المتهم المطلوب محاكمته، وذلك باستثناء ما تستلزمه مقتضيات التعاون أو المساعدة أو الانابة القضائية التى تطلبها الدولة المطلوب اليها اجراء المحاكمة.

المادة السادسة عشرة:

أ-تخضع الاجراءات التى تتم فى اى من الدولتين - الطالبة أو التى تجرى فيها المحاكمة- لقانون الدولة التى يتم فيها الاجراء وتكون لها الحجية المقررة فى هذا القانون.

ب-لا يجوز للدولة الطالبة محاكمة أو إعادة محاكمة من طلبت محاكمته الا اذا امتنعت الدولة المطلوب اليها عن اجراء محاكمته.

ج- وفى جميع الاحوال تلتزم الدولة المطلوب اليها المحاكمة، بإخطار الدولة الطالبة، بما اتخذته بشأن طلب اجراء المحاكمة. كما تلتزم باخطارهم بنتيجة التحقيقات، او المحاكمة التى تجريها.

المادة السابعة عشرة:

للدولة المطلوب اليها اجراء المحاكمة، اتخاذ جميع الاجراءات والتدابير التى يقررها قانونها قبل المتهم سواء فى الفترة التى تسبق وصول طلب المحاكمة اليها أو بعده.

المادة الثامنة عشرة:

لا يترتب على نقل الاختصاص بالمحاكمة المساس بحقوق المتضرر من الجريمة، ويكون له اللجوء الى قضاء الدولة الطالبة أو دولة المحاكمة فى المطالبة بحقوقه المدنية الناشئة عن الجريمة.

الفرع الرابع

الأشياء والعائدات المتحصلة عن الجريمة والناتجة عن ضبطها

المادة التاسعة عشرة

أ-اذا تقرر تسليم الشخص المطلوب تسليمه، تلتزم اى من الدول المتعاقدة بضبط وتسليم الاشياء والعائدات المتحصلة من الجريمة الارهابية، أو المستعملة فيها، أو المتعلقة بها، للدولة

الطالبة سواء وجدت فى حيازة الشخص المطلوب تسليمه، أو لدى الغير.

ب-تسليم الأشياء المشار إليها فى الفقرة السابقة، ولو لم يتم تسليم الشخص المقرر تسليمه. بسبب هربه أو وفاته أو لأى سبب آخر، وذلك بعد التحقق من أن تلك الأشياء متعلقة بالجريمة الإرهابية.

ج- لا تخل أحكام الفقرتين السابقتين بحقوق أى من الدول المتعاقدة أو حسن النية من الغير على الأشياء أو العائدات المذكورة.

المادة العشرون:

للدولة المطلوب إليها تسليم الاشياء والعائدات، اتخاذ جميع التدابير والاجراءات التحفظية اللازمة لتنفيذ التزامها بتسليمها، ولها أيضا أن تحتفظ مؤقتا بهذا الاشياء أو العائدات اذا كانت لازمة لاجراءات جزائية تتخذ عندها، أو أن تسلمها إلى الدولة الطالبة بشرط استردادها منها لذات السبب.

الفرع الخامس

تبادل الأدلة

المادة الحادية والعشرون

تتعهد الدول المتعاقدة، بفحص الأدلة والآثار الناتجة عن أية جريمة إرهابية تقع على إقليمها ضد دولة متعاقدة أخرى بواسطة أجهزتها المختصة، ولها الاستعانة بأية دولة متعاقدة أخرى فى ذلك. وتلتزم باتخاذ الاجراءات اللازمة للمحافظة على هذه الادلة والآثار واثبات دلالتها القانونية، ولها وحدها الحق فى تزويد الدولة التى وقعت الجريمة ضد مصالحها بالنتيجة متى طلبت ذلك، ولا يحق للدولة أو الدول المستعان بها إخطار أية دولة بذلك.

الباب الثالث

آليات تنفيذ القانون

الفصل الأول

إجراءات التسليم

المادة الثانية والعشرون:

يكون تبادل طلبات التسليم بين الجهات المختصة فى الدول المتعاقدة مباشرة. أو عن طريق وزارات العدل بها أو ما يقوم مقامها، أو بالطريق الدبلوماسى.

المادة الثالثة والعشرون:

يقدم طلب التسليم كتابة مصحوبًا بما يلي:

أ-أصل حكم الادانة أو أمر القبض أو أية أوراق أخرى لها نفس القوة، صادرة طبقاً للأوضاع المقررة فى قانون الدولة الطالبة، أو صورة رسمية مما تقدم.

ب-بيان بالأفعال المطلوب التسليم من أجلها، يوضح فيه زمان ومكان ارتكابها وتكييفها القانوني مع الاشارة إلى المواد القانونية المطبقة عليها، وصورة من هذه المواد.

ج- أوصاف الشخص المطلوب تسليمه بأكبر قدر ممكن من الدقة، وأية بيانات أخرى من شأنها تحديد شخصه وجنسيته وهويته.

المادة الرابعة والعشرون:

١-للسلطات القضائية في الدولة الطالبة، أن تطلب من الدولة المطلوب اليها- بأى طريق من طرق الاتصال الكتابية- حبس (توقيف) الشخص احتياطيًا إلى حين وصول طلب التسليم.

٢-ويجوز فى هذه الحالة للدولة المطلوب إليها التسليم أن تحبس (توقف) الشخص المطلوب احتياطيًا، واذا لم يقدم طلب التسليم مصحوبًا بالمستندات اللازمة المبينة فى المادة السابقة، فلا يجوز حبس (توقيف) الشخص المطلوب تسليمه مدة تزيد على ثلاثين يومًا من تاريخ القاء القبض عليه.

المادة الخامسة والعشرون:

على الدولة الطالبة أن ترسل طلبًا مصحوبًا بالمستندات المبينة فى المادة الثالثة والعشرين من هذه الاتفاقية، واذا تبينت الدولة المطلوب اليها التسليم سلامة الطلب. تتولى السلطات المختصة فيها تنفيذه طبقًا لتشريعها على أن تحاط الدولة الطالبة دون تأخير بما اتخذ بشأن طلبها.

المادة السادسة والعشرون:

١-فى جميع الأحوال المنصوص عليها فى المادتين السابقتين، لا يجوز أن تتجاوز مدة الحبس الاحتياطى ستين يومًا من تاريخ القبض.

٢-يجوز الافراج المؤقت خلال المدة المعينة فى الفقرة السابقة، على أن تتخذ الدولة المطلوب اليها التسليم التدابير التى تراها ضرورية للحيلولة دون هروب الشخص المطلوب.

٣-لا يحول الافراج دون اعادة القبض على الشخص وتسليمه اذا ورد طلب التسليم بعد ذلك.

المادة السابعة والعشرون:

اذا رأت الدولة المطلوب اليها التسليم حاجتها الى ايضاحات تكميلية للتحقق من توافر الشروط المنصوص عليها في هذا الفصل، تخطر بذلك الدولة الطالبة، وتحدد لها موعدا لاستكمال هذه الإيضاحات.

المادة الثامنة والعشرون:

اذا تلقت الدولة المطلوب اليها عدة طلبات تسليم من دول مختلفة إما عن ذات الأفعال أو عن أفعال مختلفة، فيكون لهذه الدولة أن تفصل فى هذه الطلبات مراعية كافة الظروف، وعلى الأخص امكان التسليم اللاحق، وتاريخ وصول الطلبات، ودرجة خطورة الجرائم، والمكان الذى ارتكبت فيه.

الفصل الثانى

إجراءات الإنابة القضائية

المادة التاسعة والعشرون:

يجب أن تتضمن طلبات الإنابة القضائية البيانات الآتية:

(أ)الجهة المختصة الصادر عنها الطلب.

(ب) موضوع الطلب وسببه.

(ج) تحديد هوية الشخص المعنى بالإنابة وجنسيته بقدر الإمكان.

(د) بيان الجريمة التى تطلب الإنابة بسببها، وتكييفها القانونى، والعقوبة المقررة على مقارفتها، وأكبر قدر ممكن من المعلومات عن ظروفها، بما يمكن من دقة تنفيذ الإنابة القضائية.

المادة الثلاثون:

١-يوجه طلب الإنابة القضائية من وزارة العدل فى الدولة الطالبة، إلى وزارة العدل فى الدولة المطلوب إليها، ويعاد بنفس الطريق.

٢-في حالة الاستعجال، يوجه طلب الإنابة القضائية مباشرة من السلطات القضائية فى الدولة الطالبة، إلى السلطات القضائية فى الدولة المطلوب إليها. وترسل صورة من هذه الإنابة القضائية فى نفس الوقت، إلى وزارة العدل فى الدولة المطلوب إليها، وتعاد الإنابة القضائية مصحوبة بالأوراق المتعلقة بتنفيذها بالطريق المنصوص عليه فى البند السابق.

٣-يمكن أن يوجه طلب الإنابة القضائية مباشرة من الجهات القضائية، إلى الجهة المختصة في الدولة المطلوب اليها، ويجوز أن تحال الردود مباشرة عن طريق هذه الجهة.

المادة الحادية والثلاثون:

يتعين أن تكون طلبات الإنابة القضائية والمستندات المصاحبة لها موقعًا عليها ومختومة بخاتم سلطة مختصة أو معتمدة منها. وتعفى هذه المستندات من كافة الإجراءات الشكلية التى قد يتطلبها تشريع الدولة المطلوب اليها.

المادة الثانية والثلاثون:

اذا كانت الجهة التى تلقت طلب الإنابة القضائية غير مختصة بمباشرته، تعين عليها احالته تلقائيًا إلى الجهة المختصة فى دولتها، وفى حالة ما اذا أرسل الطلب بالطريق المباشر. فانها تحيط الدولة الطالبة علمًا بنفس الطريق.

المادة الثالثة والثلاثون:

كل رفض للإنابة القضائية يجب أن يكون مسببا.

الفصل الثانى

اجراءات حماية الشهود والخبراء

المادة الرابعة والثلاثون:

اذا قدرت الدولة الطالبة أن لحضور الشاهد أو الخبير أمام سلطتها القضائية أهمية خاصة، فانه يتعين أن تشير الى ذلك فى طلبها، ويتعين أن يشتمل الطلب أو التكليف بالحضور على بيان تقريبى بمبلغ التعويض ونفقات السفر والاقامة وعلى تعهدها بدفعها، وتقوم الدولة المطلوب اليها بدعوة الشاهد أو الخبير للحضور، وبإحاطة الدولة الطالبة بالجواب.

المادة الخامسة والثلاثون:

١-لا يجوز توقيع أى جزاء أو تدبير ينطوى على اكراه قبل الشاهد أو الخبير الذى لم يمتثل للتكليف بالحضور، ولو تضمنت ورقة التكليف بالحضور بيان جزاء التخلف.

٢-اذا حضر الشاهد أو الخبير طواعية إلى إقليم الدولة الطالبة، فيتم تكليفه بالحضور وفق أحكام التشريع الداخلي لهذه الدوله.

المادة السادسة والثلاثون:

١--لا يجوز أن يخضع الشاهد أو الخبير للمحاكمة أو الحبس أو تقييد حريته فى اقليم الدولة الطالبة عن أفعال أو أحكام سابقة على مغادرته لاقليم الدولة المطلوب اليها، وذلك أيا كانت جنسيته، طالما كان مثوله امام الجهات القضائية لتلك الدولة بناء على تكليف بالحضور.

٢-لا يجوز أن يحاكم أو يحبس أو يخضع لأى قيد على حريته فى اقليم الدولة الطالبة أى شاهد أو خبير- أيا كانت جنسيته- يحضر أمام الجهات القضائية لتلك الدولة بناء على تكليف بالحضور عن أفعال أو أحكام أخرى غير مشار إليها في ورقة التكليف بالحضور وسابقة على مغادرته أراضى الدولة المطلوب اليها.

٣-تنقضى الحصانة المنصوص عليها فى هذه المادة اذا بقى الشاهد أو الخبير المطلوب فى اقليم الدولة الطالبة ثلاثين يومًا متعاقبة، بالرغم من قدرته على مغادرته بعد أن أصبح وجوده غير مطلوب من الجهات القضائية، أو اذا عاد الى اقليم الدولة الطالبة بعد مغادرته.

المادة السابعة والثلاثون:

١-تتعهد الدولة الطالبة باتخاذ كافة الاجراءات اللازمة لكفالة حماية الشاهد او الخبير من أية علانية تؤدى الى تعريضه أو أسرته أو املاكه للخطر الناتج عن الادلاء بشهادته أو بخبرته وعلى الأخص:

أ-كفالة سرية تاريخ ومكان وصوله إلى الدولة الطالبة، ووسيلة ذلك.

ب-كفالة سرية محل اقامته وتنقلاته وأماكن تواجده.

ج- كفالة سرية اقواله ومعلوماته التى يدلى بها أمام السلطات القضائية المختصة.

٢-تتعهد الدولة الطالبة بتوفير الحماية الأمنية اللازمة التى تقتضيها حالة الشاهد أو الخبير وأسرته وظروف القضية المطلوب فيها، وأنواع المخاطر المتوقعة.

المادة الثامنة والثلاثون:

١-اذا كان الشاهد أو الخبير المطلوب مثوله أمام الدولة الطالبة محبوسًا فى الدولة المطلوب إليها، فيجرى نقله مؤقتًا إلى المكان الذى ستعقد فيه الجلسة المطلوب سماع شهادته أو خبرته فيها، وذلك بالشروط وفى المواعيد التى تحددها الدولة المطلوب اليها، ويجوز رفض النقل:

أ-اذا رفض الشاهد أو الخبير المحبوس.

ب-اذا كان وجوده ضروريًا من أجل اجراءات جنائية تتخذ فى اقليم الدولة المطلوب منها.

ج- اذا كان نقله من شأنه إطالة أمد حبسه.

د-اذا كانت هناك اعتبارات تحول دون نقله.
٣-يظل الشاهد أو الخبير المنقول محبوسًا فى اقليم الدولة الطالبة الى حين اعادته الى الدولة المطلوب اليها، مالم تطلب الدولة الأخيرة اطلاق سراحه.

الباب الرابع

أحكام ختامية

المادة التاسعة والثلاثون:

تكون هذه الإتفاقية محلا للتصديق عليها أو قبولها أو اقرارها من الدول الموقعة، وتودع وثائق التصديق أو القبول أو الإقرار لدى الأمانة العامة لجامعة الدول العربية فى موعد أقصاه ثلاثون يومًا من تاريخ التصديق أو القبول أو الإقرار، وعلى الأمانة العامة ابلاغ سائر الدول الأعضاء بكل إيداع لتلك الوثائق وتاريخه.

المادة الاربعون:

١-تسري هذه الاتفاقية بعد مضى ثلاثين يوماً من تاريخ إيداع وثائق التصديق عليها أو قبولها أو إقرارها من سبع دول عربية.
٢-لا تنفذ هذه الاتفاقية بحق أية دولة عربية أخرى، إلا بعد إيداع وثيقة التصديق عليها أو قبولها أو إقرارها لدى الأمانة العامة للجامعة، ومضى ثلاثين يومًا من تاريخ الإيداع.

المادة الحادية والأربعون:

لا يجوز لأية دولة من الدول المتعاقدة أن تبدى أى تحفظ ينطوى صراحة ضمنًا على مخالفة لنصوص هذه الإتفاقية، أو خروج عن أهدافها.

المادة الثانية والأربعون:

لا يجوز لأية دولة متعاقدة أن تنسحب من هذه الإتفاقية إلا بناء على طلب كتابي، ترسله الى أمين عام جامعة الدول العربية.
يرتب الانسحاب أثره بعد مضى ستة شهور من تاريخ ارسال الطلب، إلى أمين عام جامعة الدول العربية.
وتظل أحكام هذه الاتفاقية نافذة في شأن الطلبات التى قدمت قبل إنقضاء هذه المدة.
حررت هذه الاتفاقية باللغة العربية بمدينة القاهرة/ جمهورية مصر العربية في

٢٥/١٢/١٤١٨هـ، الموافق ٢٢/٤/١٩٩٨م، من أصل واحد مودع بالأمانة العامة لجامعة الدول العربية، ونسخة مطابقة للأصل تحفظ بالأمانة العامة لمجلس وزراء الداخلية العرب، وتسلم كذلك نسخة مطابقة للأصل لكل طرف من الأطراف الموقعة على هذه الاتفاقية أو المنضمة اليها.

وإثباتا لما تقدم، قام أصحاب السمو والمعالي وزراء الداخلية والعدل العرب، بتوقيع هذه الاتفاقية، نيابة عن دولهم.

معاهدة منظمة المؤتمر الإسلامى لمكافحة الإرهاب الدولى

أبرمت فى واجادوجو - بوركينا فاسو

فى الأول يوليو ١٩٩٩

بسم الله الرحمن الرحيم

ORGANISATION
DE LA CONFERENCE ISLAMIQUE
SECRETARIAT GENERAL



ORGANISATION
OF THE ISLAMIC CONFERENCE
GENERAL SECRETARIAT

معاهدة
منظمة المؤتمر الإسلامي
لمكافحة الإرهاب الدولي

بسم الله الرحمن الرحيم

ORGANISATION
DE LA CONFERENCE ISLAMIQUE
SECRETARIAT GENERAL



ORGANISATION
OF THE ISLAMIC CONFERENCE
GENERAL SECRETARIAT

1

قرار رقم 26/59 - س
بشأن
متابعة مدونة السلوك لمكافحة الإرهاب الدولي

إن المؤتمر الإسلامي لوزراء الخارجية في دورته السادسة والعشرين (دورة السلام والشراكة من أجل التنمية) المنعقد في واغادوغو - بوركينا فاسو في الفترة من 15 إلى 18 ربيع الأول 1420هـ الموافق 28 يونيو إلى 1 يوليو 1999م ،

إذ يستذكر القرار رقم 7/43 - س (ق إ) الصادر عن الدورة السابعة لمؤتمر القمة الإسلامي، بالموافقة على مدونة سلوك لمكافحة الإرهاب الدولي، والقرار 8/54 - س (ق.إ) الصادر عن الدورة الثامنة لمؤتمر القمة الإسلامي بشأن متابعة مدونة قواعد السلوك لمكافحة الإرهاب الدولي ،

وإذ يذكر أيضا بقرار الأمم المتحدة رقم 49/60 المتصل بإعلان مبادىء بشأن مكافحة الإرهاب الدولي ،

وإذ يؤكد التصميم على مكافحة الأعمال الإرهابية بكافة أشكالها ومظاهرها بما في ذلك الأعمال التي تتورط فيها الدول بصورة مباشرة أو غير مباشرة ،

وإذ يؤكد مجددا الالتزام بمكافحة الإرهاب بجميع أشكاله ومظاهره والقضاء على أهدافه ومسبباته التي تستهدف حياة الناس الأبرياء وممتلكاتهم وسيادة الدول وسلامة أراضيها، واستقرارها، وأمنها، وما تضمنته مدونة السلوك لمكافحة الإرهاب الدولي من تأكيد لهذا الالتزام،

وإذ يؤكد أهمية التعاون الدولي والإقليمي وبخاصة فيما بين الدول الأعضاء بما في ذلك التنسيق وتبادل المعلومات بين سلطاتها المختصة من أجل مكافحة جميع أشكال الإرهاب بطريقة فعالة ،



وإذ يؤكد مجددا دعوته للدول الأعضاء لمراعاة مبادئ حسن الجوار وعدم التدخل في الشؤون الداخلية للدول ، ومنع استخدام أراضيها بواسطة أفراد أو جماعات لارتكاب أعمال إرهابية ضد الدول الأعضاء الأخرى ،

وإذ يؤكد أهمية توفير مناخ من الثقة والتضامن فيما بين الدول الأعضاء ،

وإذ يعرب عن انزعاجه إزاء استمرار أعمال العنف وارتفاع مستوى ما يصحبها من أعمال وحشية وبخاصة تلك الموجهة مؤخراً ضد السياح الأجانب ،

وإذ يشجب بقوة الإرهاب بكافة أشكاله وظواهره بما في ذلك إرهاب الدولة الموجة ضد كافة الدول والشعوب .

وإذ يدرك الانعكاسات السلبية لكافة أشكال الإرهاب على صورة الإسلام ،

وإذ نظر إلى تقرير الأمين العام لمنظمة المؤتمر الإسلامي بشأن متابعة مدونة قواعد السلوك لمكافحة الإرهاب الدولي (ICFM/26-99/LEG/D.4B)

1- يعلن أن الإسلام بريء من كل أشكال الإرهاب التي تؤدي إلى اغتيال الأبرياء وهو أمر يحرّمه الله.

2- يدين بشدة مرتكبي تلك الجرائم البشعة بزعم العمل بأسم الإسلام أو أي مبرر آخر .

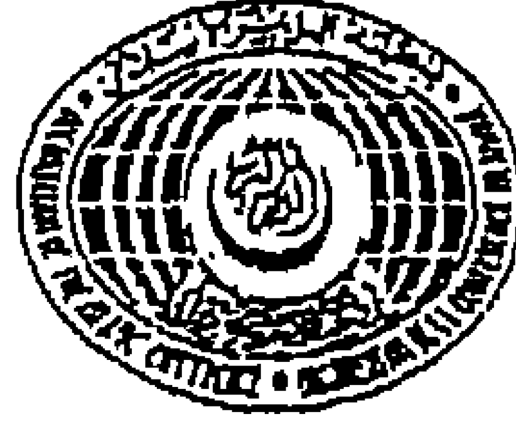
3- يناشد جميع الدول الامتناع عن إيواء أولئك الإرهابيين ، واتخاذ كل ما يلزم من تدابير للمساعدة في تقديمهم للمحاكمة .

4 - يؤكد على إرادة الدول الأعضاء في تنسيق جهودها لمكافحة كافة أشكال وظواهر الإرهاب بما في ذلك إرهاب الدولة الموجة ضد كافة الدول والشعوب.

5 - يؤكد مجددا أن كفاح الشعوب الخاضعة للسيطرة الاستعمارية أو الأجنبية أو للاحتلال الأجنبي من أجل التحرير الوطني وإقرار حقها في تقرير المصير لا يشكل عملا من أعمال الإرهاب .

بسم الله الرحمن الرحيم

ORGANISATION
DE LA CONFERENCE ISLAMIQUE
SECRETARIAT GENERAL



ORGANISATION
OF THE ISLAMIC CONFERENCE
GENERAL SECRETARIAT

6- يؤكد مجدداً التزام الدول الأعضاء بأحكام مدونة السلوك لمكافحة الإرهاب الدولي وبخاصة تلك التي تؤكد من جديد التزام هذه الدول بالامتناع عن الشروع أو السعي أو الاشتراك بأي شكل من الأشكال في تمويل أو التحريض على دعم أعمال الإرهاب بصورة مباشرة أو غير مباشرة فضلاً عن الأحكام التي تلزمها باتخاذ كافة التدابير اللازمة للتأكد من عدم استخدام أراضيها كقاعدة لتدبير وتنظيم وتنفيذ أعمال إرهابية أو الاشتراك في تنفيذها .

7- يدعو الدول الأعضاء في المنظمة إلى العمل على تعزيز التعاون بين الدول الأعضاء في ظل احترام تشريعاتها الداخلية والترتيبات والاتفاقيات الدولية من أجل مواجهة ومكافحة الأعمال الإرهابية ومعاقبة مرتكبيها أو تسليمهم إلى بلدانهم الأصلية أو إلى الدولة التي أرتكب فيها العمل الإرهابي طبقاً للاتفاقيات والترتيبات الثنائية وكذلك التعاون بين هذه الدول في مجال تبادل المعلومات ذات الصلة بشأن الإرهابيين وأنشطتهم

8- يدعو الدول الأعضاء إلى متابعة مدونة السلوك لمكافحة الإرهاب ، وتنسيق مواقفها والتعاون فيما بينها في ضوء المبادئ والأحكام المنصوص عليها في مدونة السلوك وذلك داخل جميع المؤتمرات والمحافل الدولية المعنية بقضية الإرهاب وبالإرهاب الدولي .

9- يأخذ علما بتقرير فريق الخبراء الحكوميين عن اجتماعه الثالث الذي عقد في جده في الفترة من 4 إلى 6 رجب 1419هـ الموافق 24 – 26 أكتوبر 1998م ، طبقا لما جاء بالقرار 25/54 – س ، ويوافق على مشروع معاهدة منظمة المؤتمر الإسلامي لمكافحة الإرهاب الدولي ويدعو الدول الأعضاء لاتخاذ الإجراءات اللازمة للتوقيع والتصديق عليها .

10. يطلب من الأمين العام متابعة تنفيذ هذا القرار بالتعاون الوثيق مع الدول الأعضاء وتقديم تقرير بشأنه إلى الدورة السابعة والعشرين للمؤتمر الإسلامي لوزراء الخارجية .

- - - -

بسم الله الرحمن الرحيم

ORGANISATION
DE LA CONFERENCE ISLAMIQUE
SECRETARIAT GENERAL



ORGANISATION
OF THE ISLAMIC CONFERENCE
GENERAL SECRETARIAT

معاهدة منظمة المؤتمر الإسلامي
لمكافحة الإرهاب الدولي

إن الدول الأعضاء في منظمة المؤتمر الإسلامي :

عملاً بتعاليم شريعتنا الإسلامية السمحاء التي تنبذ كل أشكال العنف والإرهاب خاصة ما كان منه قائما على التطرف ، وتدعو إلى حماية حقوق الإنسان وهي الأحكام التي تتمشى معها مبادئ القانون الدولي وأسسه التي قامت على تعاون الشعوب من أجل إقامة السلام ،

والتزاما منها بالمبادئ الدينية والأخلاقية السامية ، ولا سيما أحكام الشريعة الإسلامية وكذا بالتراث الإنساني للأمة الإسلامية ،

وتمسكا بميثاق منظمة المؤتمر الإسلامي وأهدافه ومبادئه الرامية إلى إيجاد المناخ الملائم لتعزيز التعاون والتفاهم بين الدول الإسلامية ، وكذلك قرارات المنظمة ذات الصلة ،

والتزاما منها بمبادئ القانون الدولي وميثاق الأمم المتحدة وكذلك القرارات الصادرة عنها ذات الصلة حول التدابير الرامية للقضاء على الإرهاب الدولي ، وكذلك جميع العهود والمواثيق الدولية الأخرى التي تكون الدول المنضمة إلى هذه الاتفاقية طرفا فيها والتي تدعو - بين أمور أخرى - إلى احترام السيادة والاستقرار والسلامة الإقليمية والاستقلال السياسي والأمن للدول وعدم التدخل في شؤونها الداخلية ،

وانطلاقا من أحكام مدونة قواعد سلوك الدول الأعضاء في منظمة المؤتمر الإسلامي لمكافحة الإرهاب الدولي ،

ورغبة منها في تعزيز التعاون فيما بينها لمكافحة الجرائم الإرهابية ، التي تهدد أمن الدول الإسلامية واستقرارها ، وتشكل خطرا على مصالحها الحيوية،



والتزاما منها بمكافحة الإرهاب بجميع أشكاله ومظاهره والقضاء على أهدافه ومسبباته التي تستهدف حياة الناس وممتلكاتهم ،

. وتأكيدا على شرعية حق الشعوب في الكفاح ضد الاحتلال الأجنبي والنظم الاستعمارية والعنصرية بمختلف الوسائل بما في ذلك الكفاح المسلح من أجل تحرير أراضيها والحصول على حقها في تقرير مصيرها واستقلالها ، وفقا لمبادئ القانون الدولي وميثاق الأمم المتحدة ،

وإيمانا منها بأن الإرهاب يشكل انتهاكا خطيرا لحقوق الإنسان ، ولا سيما الحق في الحياة والحق في الحرية والأمن ، فضلا عن أنه يشكل عقبة تعترض عمل المؤسسات بحرية والتنمية الاجتماعية والاقتصادية حيث أنه يهدف إلى زعزعة استقرار الدول ،

ويقينا منها بأنه لا يمكن تبرير الإرهاب بحال من الأحوال ومن ثم فينبغي إدانته بكافة أشكاله ومظاهره دون لبس فيما يقوم به من أعمال كافة وبطبقه من وسائل وممارسات بغض النظر عن منشئه وأسبابه وأغراضه ، بما في ذلك ما تقوم به الدول بشكل مباشر أو غير مباشر ؛

ووعيا منها بالروابط المتنامية بين الإرهاب والجريمة المنظمة بما في ذلك الاتجار غير المشروع بالسلاح والمخدرات والإنسان وغسيل الأموال ،

قد اتفقت على إبرام هذه المعاهدة داعية كل الدول الأعضاء بمنظمة المؤتمر الإسلامي إلى الانضمام إليها .



الباب الأول
تعريفات وأحكام عامة

المادة الأولى

لأغراض هذه المعاهدة يقصد بالمصطلحات التالية التعريف المبين إزاء كل منها :

1 - الدولة المتعاقدة أو الطرف المتعاقد: كل دولة عضو في منظمة المؤتمر الإسلامي صادقت على أو انضمت إلى هذه المعاهدة وأودعت وثائق تصديقها أو انضمامها لدى الأمانة العامة للمنظمة .

2 - الإرهاب : كل فعل من أفعال العنف أو التهديد به أياً كانت بواعثه أو أغراضه ، يقع تنفيذاً لمشروع إجرامي فردي أو جماعي ويهدف إلى إلقاء الرعب بين الناس أو ترويعهم بإيذائهم أو تعريض حياتهم أو أعراضهم أو حريتهم أو أمنهم أو حقوقهم للخطر أو إلحاق الضرر بالبيئة أو بأحد المرافق أو الأملاك العامة أو الخاصة أو احتلالها أو الاستيلاء عليها أو تعريض أحد الموارد الوطنية أو المرافق الدولية للخطر ، أو تهديد الاستقرار أو السلامة الإقليمية أو الوحدة السياسية أو سيادة الدول المستقلة.

3 - الجريمة الإرهابية : هي أي جريمة أو شروع أو اشتراك فيها ، ترتكب تنفيذاً لغرض إرهابي في أي من الدول الأطراف أو ضد رعاياها أو ممتلكاتها أو مصالحها أو المرافق والرعايا الأجانب المتواجدين على إقليمها مما يعاقب عليها قانونها الداخلي .

4 - كما تعد من الجرائم الإرهابية الجرائم المنصوص عليها في الاتفاقيات التالية عدا ما استثنته منها تشريعات الدول الأطراف أو التي لم تصادق عليها :

(أ) اتفاقية طوكيو الخاصة بالجرائم والأفعال الأخرى التي ترتكب على متن الطائرات والموقعة بتاريخ 1963/9/14 .

بسم الله الرحمن الرحيم

(ب) اتفاقية لاهاي بشأن قمع الاستيلاء غير المشروع على الطائرات والموقعة بتاريخ 1970/12/16 .

(جـ) اتفاقية مونتريال الخاصة بقمع الأعمال غير المشروعة الموجهة ضد سلامة الطيران المدني والموقعة في 1971/9/23 والبروتوكول الملحق بها والموقع في مونتريال في 1984/5/10 .

(د) اتفاقية نيويورك الخاصة بمنع ومعاقبة الجرائم المرتكبة ضد الأشخاص المشمولين بالحماية الدولية بمن فيهم الممثلون الدبلوماسيون والموقعة في 14/ 1973/12 .

(هـ) المعاهدة الدولية ضد اختطاف واحتجاز الرهائن والموقعة في 1979/12/17 .

(و) اتفاقية الأمم المتحدة لقانون البحار لسنة 1982 ما تعلق منها بالقرصنة البحرية .

(ز) المعاهدة الخاصة بالحماية المادية للمواد النووية والموقعة في فيينا عام 1979 .

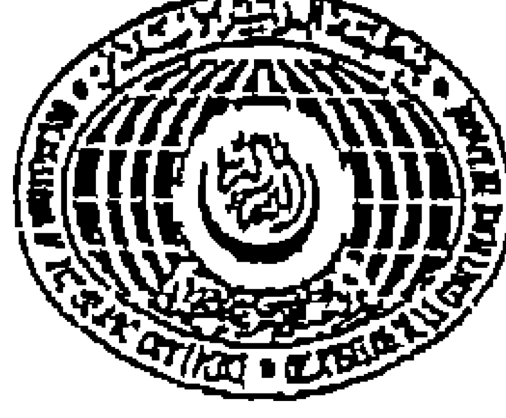
(ح) البروتوكول الإضافي إلى معاهدة قمع الأعمال غير المشروعة ضد سلامة الطيران المدني والخاص بقمع أعمال العنف غير المشروعة في المطارات التي تخدم الطيران المدني والموقع في مونتريال في عام 1988 .

(ط) البروتوكول الخاص بقمع الأعمال غير المشروعة التي ترتكب ضد سلامة مساحات معينة من الجرف القاري ، والموقعة في روما عام 1988 .

(ى) المعاهدة الخاصة بقمع الأعمال غير المشروعة الموجهة ضد الملاحة البحرية والموقعة في روما عام 1988 .

(ك) المعاهدة الدولية بقمع التفجيرات الإرهابية (نيويورك 1997) .

(ل) المعاهدة الخاصة بوضع علامات على المتفجرات البلاستيكية بغرض الكشف عنها (مونتريال 1991) .



المادة الثانية

أ) لا تعد جريمة إرهابية حالات كفاح الشعوب بما فيها الكفاح المسلح ضد الاحتلال والعدوان الأجنبيان والاستعمار والسيطرة الأجنبية من أجل التحرر أو تقرير المصير وفقاً لمبادىء القانون الدولي .

ب) لا تعد أي من الجرائم الإرهابية المشار إليها في المادة السابقة من الجرائم السياسية .

جـ) وفي تطبيق أحكام هذه المعاهدة لا تعد من الجرائم السياسية ، ولو كانت بدافع سياسي ، الجرائم الآتية :

1 - التعدي على ملوك ورؤساء الدول المتعاقدة أو زوجاتهم أو أصولهم أو فروعهم .

2 - التعدي على أولياء العهد أو نواب رؤساء الدول أو رؤساء الحكومات أو الوزراء في أي من الدول الأطراف .

3 - التعدي على الأشخاص المتمتعين بحماية دولية بمن فيهم السفراء والدبلوماسيون في الدول الأطراف المعتمدين لديها .

4 - القتل العمد أو السرقة المصحوبة بإكراه ضد الأفراد أو السلطات أو وسائل النقل والمواصلات .

5 - أعمال التخريب والإتلاف للممتلكات العامة والممتلكات المخصصة لخدمة عامة حتى ولو كانت مملوكة لدولة أخرى من الدول الأطراف.

6 - جرائم تصنيع أو تهريب أو حيازة الأسلحة أو الذخائر أو المتفجرات أو غيرها من المواد التي تعد لارتكاب جرائم إرهابية .

د) تعد من الجرائم الإرهابية جميع أشكال الجرائم المنظمة عبر الحدود التي تتم بغرض تمويل الأهداف الإرهابية بما فيها الاتجار غير المشروع في المخدرات والبشر ، وغسل الأموال .

بسم الله الرحمن الرحيم

ORGANISATION
DE LA CONFERENCE ISLAMIQUE
SECRETARIAT GENERAL



ORGANISATION
OF THE ISLAMIC CONFERENCE
GENERAL SECRETARIAT

9

الباب الثاني

أسس التعاون الإسلامي لمكافحة الإرهاب

الفصل الأول

في المجال الأمني

الفرع الأول

تدابير منع ومكافحة الجرائم الإرهابية

المادة الثالثة

أولاً تتعهد الدول الأطراف بعدم القيام أو الشروع أو الاشتراك بأي شكل من الأشكال في تنظيم أو تمويل أو ارتكاب أو التحريض على ارتكاب الأعمال الإرهابية أو دعمها بصورة مباشرة أو غير مباشرة.

ثانيا والتزاماً من الدول الأطراف بمنع الجرائم الإرهابية ومكافحتها طبقاً لأحكام هذه المعاهدة ولأحكام القوانين والإجراءات الداخلية لكل منها فستعمل الدول الأطراف على اتخاذ ما يلي :

أ – تدابير المنع :

1 - الحيلولة دون اتخاذ أراضيها مسرحاً لتخطيط أو تنظيم أو تنفيذ الجرائم الإرهابية أو الشروع أو الاشتراك فيها بأية صورة من الصور ، بما في ذلك العمل على منع تسلل

العناصر الإرهابية أو لجوئها إليها أو إقامتها على أراضيها فرادى أو جماعات أو استقبالها أو إيوائها أو تدريبها أو تسليحها أو تمويلها أو تقديم أية تسهيلات لها .

2 - التعاون والتنسيق مع باقي الدول الأطراف ، وخاصة المتجاورة منها ، التي تعاني من الجرائم الإرهابية بصورة متشابهة أو مشتركة .

3 - تطوير وتعزيز الأنظمة المتصلة بالكشف عن نقل واستيراد وتصدير وتخزين واستخدام الأسلحة والذخائر والمتفجرات ، وغيرها من وسائل الاعتداء والقتل والدمار ، وإجراءات مراقبتها عبر الجمارك والحدود لمنع انتقالها من دولة طرف إلى أخرى ، أو إلى غيرها من الدول ، إلا لأغراض مشروعة على نحو ثابت .

4 - تطوير وتعزيز الأنظمة المتصلة بإجراءات المراقبة وتأمين الحدود والمنافذ البرية والبحرية والجوية لمنع حالات التسلل منها .

5 - تعزيز نظم تأمين وحماية الشخصيات والمنشآت الحيوية ووسائل النقل العام.

6 - تعزيز الحماية والأمن والسلامة للشخصيات وللبعثات الدبلوماسية والقنصلية والمنظمات الإقليمية والدولية المعتمدة لدى الدولة الطرف وفقاً للاتفاقات والقواعد القانونية الدولية التي تحكم هذا الموضوع .

7 - تعزيز أنشطة الإعلام الأمني وتنسيقها مع الأنشطة الإعلامية في كل دولة طرف وفقاً لسياساتها الإعلامية ، وذلك لكشف أهداف الجماعات والتنظيمات الإرهابية وإحباط مخططاتها وبيان مدى خطورتها على الأمن والاستقرار .

8 - تقوم كل دولة من الدول الأطراف بإنشاء قاعدة بيانات لجمع وتحليل المعلومات الخاصة بالعناصر والجماعات والحركات والتنظيمات الإرهابية ومتابعة مستجدات ظاهرة الإرهاب و التجارب الناجحة في مواجهتها ، وتحديث هذه المعلومات وتبادلها مع الأجهزة المختصة في الدول الأطراف في هذه المعاهدة، وذلك في حدود ما تسمح به القوانين والإجراءات الداخلية لكل دولة .

9 - اتخاذ جميع التدابير الضرورية لإزالة والحيلولة دون إنشاء شبكات الدعم التي تساعد الإرهاب تحت أي شكل كان .

ب - تدابير المكافحة :

1 - القبض على مرتكبي الجرائم الإرهابية ومحاكمتهم وفقاً للقانون الوطني ، أو تسليمهم وفقاً لأحكام هذه المعاهدة أو الاتفاقيات القائمة بين الدولتين الطالبة والمطلوب إليها التسليم .

2 - تأمين حماية فعالة للعاملين في ميدان العدالة الجنائية وللشهود والخبراء والمحققين .

3 - تأمين حماية فعالة لمصادر المعلومات عن الجرائم الإرهابية والشهود فيها .

4 - توفير ما يلزم من مساعدات لضحايا الإرهاب .

5 - إقامة تعاون فعال بين الأجهزة المعنية في الدول الأطراف وبين المواطنين لمواجهة الإرهاب بما في ذلك إيجاد ضمانات وحوافز مناسبة للتشجيع على الإبلاغ عن الأعمال الإرهابية وتقديم المعلومات التي تساعد في الكشف عنها والتعاون في القبض على مرتكبيها

الفرع الثاني

مجالات التعاون الإسلامي لمنع ومكافحة الجرائم الإرهابية

المادة الرابعة

تتعاون الدول الأطراف فيما بينها لمنع ومكافحة الجرائم الإرهابية طبقا للقوانين والإجراءات الداخلية لكل دولة وذلك في المجالات الآتية :

أولاً : تبادل المعلومات :

1 - تتعهد الدول الأطراف بتعزيز تبادل المعلومات فيما بينها حول ما يلي :

أ - أنشطة وجرائم الجماعات الإرهابية وقياداتها وعناصرها وأماكن تمركزها وتدريبها ووسائل ومصادر تمويلها وتسليحها وأنواع الأسلحة والذخائر والمتفجرات التي تستخدمها وغيرها من وسائل الاعتداء والقتل والدمار .

ب - وسائل وتقنيات الاتصال والدعاية التي تستخدمها الجماعات الإرهابية وأسلوب عملها وتنقلات قياداتها وعناصرها ووثائق السفر التي تستعملها .

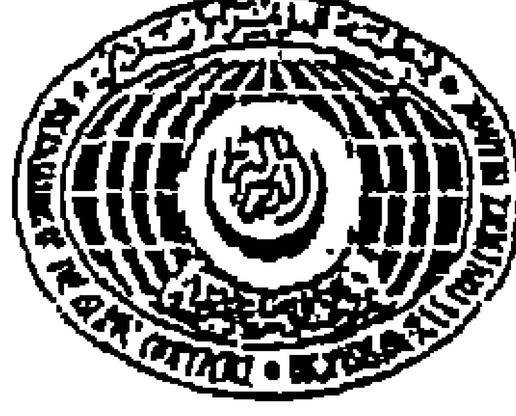
2 - تتعهد الدول الأطراف بإخطار أية دولة طرف أخرى على وجه السرعة بالمعلومات المتوفرة لديها عن أية جريمة إرهابية تقع في إقليمها تستهدف المساس بمصالح تلك الدولة أو بمواطنيها على أن تبين في ذلك الأخطار ما أحاط بالجريمة من ظروف والجناة فيها وضحاياها والخسائر الناجمة عنها والأدوات والأساليب المستخدمة في ارتكابها وذلك بالقدر الذي لا يتعارض مع متطلبات البحث والتحقيق .

3 - تتعهد الدول الأطراف بتبادل المعلومات مع الدول الأطراف الأخرى لمكافحة الجرائم الإرهابية وإخطار الدولة أو الدول الأخرى الأطراف بكل ما يتوافر لديها من معلومات أو بيانات من شأنها أن تحول دون وقوع جرائم إرهابية على إقليمها أو ضد مواطنيها أو المقيمين فيها أو ضد مصالحها .

4 - تتعهد الدول الأطراف بتزويد أية دولة طرف أخرى بما يتوافر لديها من معلومات أو بيانات من شأنها :

أ - أن تساعد في القبض على متهم أو متهمين بارتكاب جريمة إرهابية ضد مصالح تلك الدولة أو الشروع أو الاشتراك فيها سواء بالمساعدة أو الاتفاق أو التحريض .

ب - أن تؤدي إلى ضبط أية أسلحة أو ذخائر أو متفجرات أو أدوات أو أموال استخدمت أو أعدت للاستخدام في جريمة إرهابية .



5 - تتعهد الدول الأطراف بالمحافظة على سرية المعلومات المتبادلة فيما بينها وعدم تزويد أية دولة غير طرف أو جهة أخرى بها دون أخذ الموافقة المسبقة للدولة مصدر المعلومات .

ثانياً : التحريات :

تتعهد كل من الدول الأطراف بتعزيز التعاون فيما بينها وتقديم المساعدة في مجال إجراءات التحري والقبض على الهاربين من المتهمين أو المحكوم عليهم في جرائم إرهابية وفقا لقوانين وأنظمة كل دولة .

ثالثاً : تبادل الخبرات :

1 - تتعاون الدول الأطراف على إجراء وتبادل الدراسات والبحوث لمكافحة الجرائم الإرهابية كما تتبادل ما لديها من خبرات في مجال المكافحة .

2 - تتعاون الدول الأطراف ، في حدود إمكانياتها ، على توفير المساعدات الفنية المتاحة لإعداد برامج أو عقد دورات تدريبية مشتركة أو خاصة بدولة أو مجموعة من الدول الأطراف عند الحاجة للعاملين في مجال مكافحة الإرهاب لتنمية قدراتهم العلمية والعملية ورفع مستوى أدائهم .

رابعاً : في مجال التعليم والإعلام :

تتعاون الدول الأطراف في :

1 - تعزيز الأنشطة الإعلامية ودعم وسائل الإعلام لمجابهة الحملة الشرسة ضد الإسلام ، وذلك من خلال إبراز الصورة الصحيحة لسماحة الإسلام وفضح مخططات الجماعات الإرهابية وخطورتها على استقرار وأمن الدول الإسلامية.

2 - إدخال القيم الإنسانية النبيلة ومبادىء وأخلاقيات الإسلام التي تحظر ممارسة الإرهاب ضمن المناهج التعليمية للدول الأطراف .

3 - دعم الجهود الرامية إلى مواكبة العصر بفكر إسلامي متطور يعتمد على الاجتهاد الذي يتميز به الإسلام .

الفصل الثاني

في المجال القضائي

الفرع الأول

تسليم المجرمين

المادة الخامسة

تتعهد كل من الدول الأطراف بتسليم المتهمين أو المحكوم عليهم في الجرائم الإرهابية المطلوب تسليمهم من أي من هذه الدول وذلك طبقاً للقواعد والشروط المنصوص عليها في هذه المعاهدة .

المادة السادسة

لا يجوز التسليم في أي من الحالات التالية :

1 - إذا كانت الجريمة المطلوب من أجلها التسليم معتبرة بمقتضى القواعد القانونية النافذة لدى الدولة الطرف المطلوب منها التسليم جريمة لها صبغة سياسية ، وذلك مع عدم الإخلال بما جاء في المادة الثانية فقرة (ب و ج) من هذه المعاهدة .

2 - إذا كانت الجريمة المطلوب من أجلها التسليم تنحصر في الإخلال بواجبات عسكرية .

3 - إذا كانت الجريمة المطلوب من أجلها التسليم قد ارتكبت في إقليم الدولة الطرف المطلوب منها التسليم ، إلا إذا كانت هذه الجريمة قد أضرت بمصالح الدولة الطرف طالبة

التسليم وكانت قوانينها تنص على تتبع مرتكبي هذه الجرائم ومعاقبتهم وكانت الدولة المطلوب منها التسليم لم تبدأ بعد إجراءات التحقيق أو المحاكمة .

4 - إذا كانت الجريمة قد صدر بشأنها حكم نهائي له قوة الأمر المقضي لدى الدولة الطرف المطلوب منها التسليم .

5 - إذا كانت الدعوى عند وصول طلب التسليم قد انقضت أو العقوبة قد سقطت بمضي المدة طبقاً لقانون الدولة الطرف طالبة التسليم .

6 - إذا كانت الجريمة قد ارتكبت خارج إقليم الدولة الطرف الطالبة من شخص لا يحمل جنسيتها وكان قانون الدولة الطرف المطلوب منها التسليم لا يجيز توجيه الاتهام عن مثل هذه الجريمة إذا ارتكبت خارج إقليمها من مثل هذا الشخص .

7 - إذا صدر عفو لدى الدولة الطرف الطالبة يشمل مرتكبي هذه الجرائم .

8 - إذا كان النظام القانوني للدولة المطلوب إليها التسليم لا يجيز لها تسليم مواطنيها فتلزم الدولة المطلوب إليها التسليم بتوجيه الاتهام ضد من يرتكب منهم جريمة من الجرائم الإرهابية إذا كان الفعل معاقباً عليه في كل من الدولتين بعقوبة سالبة للحرية لا تقل مدتها عن سنة أو بعقوبة أشد وتحدد جنسية المطلوب تسليمه بتاريخ وقوع الجريمة المطلوب التسليم من أجلها ويستعان في هذا الشأن بالتحقيقات التي أجرتها الدولة طالبة التسليم .

المادة السابعة

إذا كان الشخص المطلوب تسليمه قيد التحقيق أو المحاكمة عن جريمة أخرى في الدولة المطلوب إليها التسليم فإن تسليمه يؤجل لحين التصرف في التحقيق أو انتهاء المحاكمة وتنفيذ العقوبة . ويجوز مع ذلك للدولة المطلوب إليها التسليم تسليمه مؤقتاً للتحقيق معه أو محاكمته بشرط إعادته إليها قبل تنفيذ العقوبة عليه في الدولة طالبة التسليم .



المادة الثامنة

لغرض تسليم مرتكبي الجرائم بموجب هذه المعاهدة لا يعتد بما قد يكون بين التشريعات الداخلية للدول الأطراف من اختلاف في التكييف القانوني للجريمة جناية كانت أو جنحة أو العقوبة المقررة لها .

(الفرع الثاني)

الإنابة القضائية

المادة التاسعة

لكل دولة طرف أن تطلب إلى أية دولة أخرى متعاقدة القيام في إقليمها نيابة عنها بأي إجراء قضائي متعلق بدعوى ناشئة عن جريمة إرهابية وبصفة خاصة :

1 - سماع شهادة الشهود والأقوال التي تؤخذ على سبيل الاستدلال .

2 - تبليغ الوثائق القضائية .

3 - تنفيذ عمليات التفتيش والحجز .

4 - إجراء المعاينة وفحص الأشياء .

5 - الحصول على المستندات أو الوثائق أو السجلات اللازمة أو نسخ مصدقة منها .

المادة العاشرة

تلتزم كل من الدول الأطراف بتنفيذ الانابات القضائية المتعلقة بالجرائم الإرهابية ، ويجوز لها رفض طلب التنفيذ في أي من الحالتين التاليتين :

1 - إذا كانت الجريمة موضوع الطلب محل اتهام أو تحقيق أو محاكمة لدى الدولة المطلوب منها تنفيذ الإنابة .

2 - إذا كان تنفيذ الطلب من شأنه المساس بسيادة أو أمن الدولة المكلفة بتنفيذه أو بالنظام العام فيها .

المادة الحادية عشرة

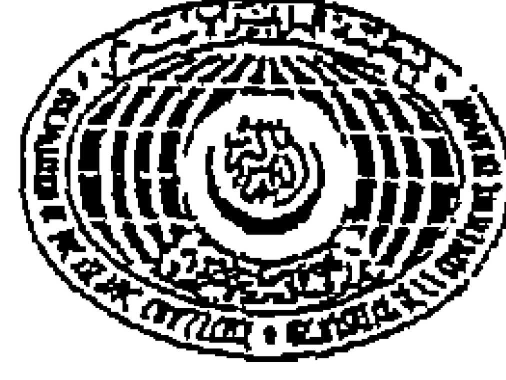
ينفذ طلب الإنابة وفقاً لأحكام القانون الداخلي للدولة المطلوب منها التنفيذ وعلى وجه السرعة ، ويجوز لهذه الدولة تأجيل التنفيذ حتى استكمال إجراءات التحقيق والتتبع القضائي الجاري لديها في نفس الموضوع أو زوال الأسباب القهرية التي دعت للتأجيل على أن يتم إشعار الدولة الطالبة بهذا التأجيل .

المادة الثانية عشرة

لا يجوز رفض طلب الإنابة في جريمة إرهابية بسبب قاعدة سرية أعمال المصارف أو المؤسسات المالية وتتبع في تنفيذ الطلب القواعد النافذة في دولة التنفيذ .

المادة الثالثة عشرة

يكون للإجراء الذي يتم بطريق الإنابة وفقاً لأحكام هذه المعاهدة الأثر القانوني ذاته كما لو تم أمام الجهة المختصة لدى الدولة طالبة الإنابة . ولا يجوز استعمال ما نتج عن تنفيذ الإنابة إلا في نطاق ما صدرت الإنابة بشأنه .



الفرع الثالث

التعاون القضائي

المادة الرابعة عشرة

تقدم كل دولة طرف للدول الأطراف الأخرى المساعدة الممكنة واللازمة للتحقيقات أو إجراءات المحاكمة المتعلقة بالجرائم الإرهابية .

المادة الخامسة عشرة

1 - عند انعقاد الاختصاص القضائي لإحدى الدول الأطراف بمحاكمة متهم عن جريمة إرهابية ، فيجوز لهذه الدولة أن تطلب إلى الدولة التي يوجد المتهم في إقليمها محاكمته عن هذه الجريمة شريطة موافقة هذه الدولة وأن تكون الجريمة معاقباً عليها في دولة المحاكمة بعقوبة سالبة للحرية لا تقل مدتها عن سنة واحدة أو بعقوبة أخرى أشد ، وتقوم الدولة الطالبة في هذه الحالة بموافاة الدولة المطلوب منها المحاكمة بجميع التحقيقات والوثائق والأدلة الخاصة بالجريمة .

2 - يجري التحقيق أو المحاكمة حسب مقتضى الحال عن الواقعة أو الوقائع التي أسندتها الدولة الطالبة إلى المتهم ، وفقاً لأحكام وإجراءات قانون دولة المحاكمة .

المادة السادسة عشرة

يترتب على تقديم الدولة الطالبة لطلب المحاكمة وفقاً للبند (1) من المادة السابقة وقف إجراءات الملاحقة والتحقيق والمحاكمة المتخذة لديها بشأن المتهم المطلوب محاكمته وذلك باستثناء ما تستلزمه مقتضيات التعاون أو المساعدة أو الإنابة القضائية التي تطلبها الدولة المطلوب منها إجراء المحاكمة .

المادة السابعة عشرة

1 - تخضع الإجراءات التي تتم في أي من الدولتين - الطالبة أو التي تجرى فيها المحاكمة - لقانون الدولة التي يتم فيها الإجراء وتكون لها الحجية المقررة في قوانينها .

2 - لا يجوز للدولة الطالبة محاكمة أو إعادة محاكمة من طلبت محاكمته إلا إذا امتنعت الدولة المطلوب منها عن إجراء محاكمته .

3 - وفي جميع الأحوال تلتزم الدولة المطلوب منها المحاكمة بإخطار الدولة الطالبة بما اتخذته بشأن طلب إجراء المحاكمة كما تلتزم بإخطارها بنتيجة التحقيقات أو المحاكمة التي تجريها .

المادة الثامنة عشرة

للدولة المطلوب منها إجراء المحاكمة اتخاذ جميع الإجراءات والتدابير التي يقررها قانونها قبل المتهم سواء في الفترة التي تسبق وصول طلب المحاكمة إليها أو بعده.

الفرع الرابع

الأشياء والعائدات المتحصلة عن الجريمة والناتجة عن ضبطها

المادة التاسعة عشر

1 - إذا تقرر تسليم الشخص المطلوب تسليمه ، تلتزم أي من الدول الأطراف بضبط وتسليم الأشياء والعائدات المتحصلة من الجريمة الإرهابية أو المستعملة فيها أو المتعلقة بها للدولة الطالبة سواء وجدت في حيازة الشخص المطلوب تسليمه أو لدى الغير .

2 - تسلم الأشياء المشار إليها في الفقرة السابقة ولو لم يتم تسليم الشخص المقرر تسليمه بسبب هربه أو وفاته أو لأي سبب آخر وذلك بعد التحقق من أن تلك الأشياء متعلقة بالجريمة الإرهابية .

3 - لا تخل أحكام الفقرتين السابقتين بحقوق أي من الدول الأطراف أو حسن النية من الغير على الأشياء أو العائدات المذكورة .

المادة العشرون

للدولة المطلوب منها تسليم الأشياء والعائدات اتخاذ جميع التدابير والإجراءات التحفظية اللازمة لتنفيذ التزامها بتسليمها ولها أيضاً أن تحتفظ مؤقتاً بهذه الأشياء أو العائدات إذا كانت لازمة لإجراءات جزائية تتخذ عندها أو أن تسلمها إلى الدولة الطالبة بشرط استردادها منها لذات السبب .

الفرع الخامس

تبادل الأدلة

المادة الحادية والعشرون

تتعهد الدول الأطراف بفحص الأدلة والآثار الناتجة عن أية جريمة إرهابية تقع على إقليمها ضد دولة طرف أخرى بواسطة أجهزتها المختصة ، ولها الاستعانة بأية دولة طرف أخرى في ذلك . وتلتزم باتخاذ الإجراءات اللازمة للمحافظة على هذه الأدلة والآثار واثبات دلالتها القانونية ، ولها الحق في تزويد الدولة التي وقعت الجريمة ضد مصالحها بالنتيجة متى طلبت ذلك ، ولا يحق للدولة أو الدول المستعان بها إخطار أية دولة بذلك .



الباب الثالث

آليات تنفيذ التعاون

الفصل الأول

إجراءات التسليم

المادة الثانية والعشرون

يكون تبادل طلبات التسليم بين الدول الأطراف بالطريق الدبلوماسي مباشرة أو عن طريق وزارات العدل بها أو ما يقوم مقامها .

المادة الثالثة والعشرون

يقدم طلب التسليم كتابة مصحوباً بالآتي :

1 - أصل حكم الإدانة أو أمر القبض أو أية أوراق أخرى لها نفس القوة صادرة طبقاً للأوضاع المقررة في قانون الدولة الطالبة ، أو صورة رسمية مما تقدم .

2 - بيان بالأفعال المطلوب التسليم من أجلها يوضح فيه زمان ومكان ارتكابها وتكييفها القانوني مع الإشارة إلى المواد القانونية المطبقة عليها وصورة من نصوص هذه المواد .

3 - أوصاف الشخص المطلوب تسليمه بأكبر قدر ممكن من الدقة وأية بيانات أخرى من شأنها تحديد شخصه وجنسيته .

المادة الرابعة والعشرين

1 - للسلطات القضائية في الدولة الطالبة أن تطلب من الدولة المطلوب منها التسليم بأي طريق من طرق الاتصال الكتابية توقيف الشخص احتياطياً إلى حين وصول طلب التسليم .

2 - ويجوز في هذه الحالة للدولة المطلوب منها التسليم أن توقف الشخص المطلوب احتياطياً . وإذا لم يقدم طلب التسليم مصحوباً بالمستندات اللازمة المبينة في المادة السابقة فلا يجوز توقيف الشخص المطلوب تسليمه مدة تزيد على ثلاثين يوماً من تاريخ إلقاء القبض عليه.

المادة الخامسة والعشرون

على الدولة الطالبة أن ترسل طلباً مصحوباً بالمستندات المبينة في المادة الثالثة والعشرين من هذه المعاهدة ، وإذا تبينت الدولة المطلوب منها التسليم سلامة الطلب تتولى السلطات المختصة فيها تنفيذه طبقاً لتشريعها على أن تحاط الدولة الطالبة دون تأخير بما اتخذ بشأن طلبها .

المادة السادسة والعشرون

1 - في جميع الأحوال المنصوص عليها في المادتين السابقتين لا يجوز أن تتجاوز مدة توقيفه احتياطيا ستين يوماً من تاريخ القبض .

2 - يجوز الإفراج المؤقت خلال المدة المحددة في الفقرة السابقة على أن تتخذ الدولة المطلوب منها التسليم التدابير التي تراها ضرورية للحيلولة دون هروب الشخص المطلوب.

3 - لا يحول الإفراج دون إعادة القبض على الشخص وتسليمه إذا ورد طلب التسليم بعد ذلك.



المادة السابعة والعشرون

إذا رأت الدولة المطلوب منها التسليم حاجتها إلى إيضاحات تكميلية للتحقق من توافر الشروط المنصوص عليها في هذا الفصل تخطر بذلك الدولة الطالبة وتحدد لها موعداً لاستكمال هذه الإيضاحات .

المادة الثامنة والعشرون

إذا تلقت الدولة عدة طلبات تسليم من دول مختلفة عن ذات الأفعال أو عن أفعال مختلفة، فيكون لهذه الدولة أن تفصل في هذه الطلبات مراعية كافة الظروف وعلى الأخص إمكان التسليم اللاحق وتاريخ وصول الطلبات ودرجة خطورة الجرائم والمكان الذي ارتكبت فيه .



الفصل الثاني

إجراءات الإنابة القضائية

المادة التاسعة والعشرون

يجب أن تتضمن طلبات الإنابة القضائية البيانات الآتية :

1 - الجهة المختصة الصادر عنها الطلب .

2 - موضوع الطلب وسببه .

3 - تحديد هوية الشخص المعني بالإنابة وجنسيته بقدر الإمكان .

4 - بيان الجريمة التي تطلب الإنابة بشأنها وتكييفها القانوني والعقوبة المقررة على مقارفتها وأكبر قدر ممكن من المعلومات عن ظروفها بما يمكن من دقة تنفيذ الإنابة القضائية .

المادة الثلاثون

1 - يوجه طلب الإنابة القضائية من وزارة العدل في الدولة الطالبة إلى وزارة العدل في الدولة المطلوب منها ويعاد بنفس الطريق .

2 - في الأحوال العاجلة ، يوجه طلب الإنابة القضائية مباشرة من السلطات القضائية في الدولة الطالبة إلى السلطات القضائية في الدولة المطلوب منها. وترسل صورة من هذه الإنابة القضائية في نفس الوقت إلى وزارة العدل في الدولة المطلوب منها ، وتعاد الإنابة القضائية مصحوبة بالأوراق المتعلقة بتنفيذها بالطريق المنصوص عليه في البند السابق .

3 - يمكن أن يوجه طلب الإنابة القضائية مباشرة من الجهات القضائية إلى الجهة المختصة في الدولة المطلوب منها ، ويجوز أن تحال الردود مباشرة عن طريق هذه الجهة .

المادة الحادية والثلاثون

يتعين أن تكون طلبات الإنابة القضائية والمستندات المصاحبة لها موقعاً عليها ومختومة بخاتم سلطة مختصة أو معتمدة منها . وتعفى هذه المستندات من كافة الإجراءات الشكلية التي قد يتطلبها تشريع الدولة المطلوب منها .

المادة الثانية والثلاثون

إذا كانت الجهة التي تلقت طلب الإنابة القضائية غير مختصة بمباشرته تعين عليها إحالته تلقائياً إلى الجهة المختصة في دولتها . وفي حالة إرسال الطلب بالطريق المباشر ، يكون الرد على الدولة الطالبة بشأنه بنفس الطريق .

المادة الثالثة والثلاثون

يجب أن يكون أي رفض للإنابة القضائية مسبباً .

الفصل الثالث

إجراءات حماية الشهود والخبراء

المادة الرابعة والثلاثون

إذا قدرت الدولة الطالبة أن لحضور الشاهد أو الخبير ، أمام سلطتها القضائية أهمية خاصة فإنه يتعين أن تشير إلى ذلك في طلبها . وأن يشتمل الطلب أو التكليف بالحضور على بيان تقريبي بمبلغ التعويض ونفقات السفر والإقامة وعلى تعهدها بدفعها وتقوم الدولة المطلوب إليها بدعوة الشاهد أو الخبير للحضور وبإحاطة الدولة الطالبة بالجواب .

المادة الخامسة والثلاثون

1 - لا يجوز توقيع أي جزاء أو تدبير ينطوي على إكراه قبل الشاهد أو الخبير الذي لم يمتثل للتكليف بالحضور ولو تضمنت ورقة التكليف بالحضور بيان جزاء التخلف .

2 - إذا حضر الشاهد أو الخبير طواعية إلى إقليم الدولة الطالبة فيتم تكليفه بالحضور وفق أحكام التشريع الداخلي لهذه الدولة .

المادة السادسة والثلاثون

1 - لا يجوز أن يخضع الشاهد أو الخبير للمحاكمة أو الحبس أو تقييد حريته في إقليم الدولة الطالبة عن أفعال أو أحكام سابقة على مغادرته لإقليم الدولة المطلوب إليها وذلك أياً كانت جنسيته ، طالما كان مثوله أمام الجهات القضائية لتلك الدولة بناء على تكليف بالحضور .

2 - لا يجوز أن يحاكم أو يحبس أو يخضع لأي قيد على حريته في إقليم الدولة الطالبة أي شاهد أو خبير ، أياً كانت جنسيته ، يحضر أمام الجهات القضائية لتلك الدولة بناء على تكليف بالحضور عن أفعال أو أحكام أخرى غير مشار إليها في ورقة التكليف بالحضور وسابقة على مغادرته أراضي الدولة المطلوب منها .

3 - تنقضي الحصانة المنصوص عليها في هذه المادة إذا استمر بقاء الشاهد أو الخبير المطلوب في إقليم الدولة الطالبة أكثر من ثلاثين يوماً متعاقبة بالرغم من قدرته على مغادرته بعد أن أصبح وجوده غير مطلوب من الجهات القضائية أو إذا عاد إلى إقليم الدولة الطالبة بعد مغادرته .

المادة السابعة والثلاثون

1 - تتعهد الدولة الطالبة باتخاذ كافة الإجراءات اللازمة لكفالة حماية الشاهد أو الخبير من أية علانية تؤدي إلى تعريضه أو أسرته أو أملاكه للخطر الناتج عن الإدلاء بشهادته وعلى الأخص :

أ - كفالة سرية تاريخ ومكان وصوله إلى الدولة الطالبة ووسيلة ذلك الوصول .

ب - كفالة سرية محل إقامته وتنقلاته وأماكن تواجده .



جـ - كفالة سرية أقواله ومعلوماته التي يدلي بها أمام السلطات القضائية المختصة .

2 - تتعهد الدولة الطالبة بتوفير الحماية الأمنية اللازمة التي تقتضيها حالة الشاهد أو الخبير وأسرته وظروف القضية المطلوب فيها وأنواع المخاطر المتوقعة.

المادة الثامنة والثلاثون

1 - إذا كان الشاهد أو الخبير المطلوب مثوله أمام الدولة الطالبة محبوساً في الدولة المطلوب منها فيجري نقله مؤقتاً إلى المكان الذي ستعقد فيه الجلسة المطلوب سماع شهادته فيها وذلك بالشروط وفي المواعيد التي تحددها الدولة المطلوب منها ، ويجوز رفض النقل :

أ - إذا رفض الشاهد أو الخبير المحبوس .

ب - إذا كان وجوده ضرورياً من أجل إجراءات جنائية تتخذ في إقليم الدولة المطلوب منها .

جـ - إذا كان نقله من شأنه إطالة أمد حبسه .

د - إذا كانت هناك اعتبارات تحول دون نقله .

2 - يظل الشاهد أو الخبير المنقول محبوساً في إقليم الدولة الطالبة إلى حين إعادته إلى الدولة المطلوب منها ما لم تطلب الدولة الأخيرة إطلاق سراحه .



الباب الرابع

أحكام ختامية

المادة التاسعة والثلاثون

تكون هذه المعاهدة محلاً للتصديق عليها أو الانضمام إليها من الدول الموقعة عليها وتودع وثائق التصديق أو الانضمام لدى الأمانة العامة لمنظمة المؤتمر الإسلامي في موعد أقصاه ثلاثون يوماً من تاريخ التصديق أو الانضمام وعلى الأمانة العامة إبلاغ سائر الدول الأطراف بكل إيداع لتلك الوثائق وتاريخه.

المادة الأربعون

1 - تسري هذه المعاهدة بعد مضي ثلاثين يوماً من تاريخ إيداع وثائق التصديق عليها أو الانضمام إليها من سبع دول إسلامية .

2 - لا تنفذ هذه المعاهدة بحق أية دولة إسلامية أخرى إلا بعد إيداع وثيقة تصديقها عليها أو انضمامها إليها لدى الأمانة العامة للمنظمة ومضي ثلاثين يوماً من تاريخ الإيداع ..

المادة الحادية والأربعون

لا يجوز لأية دول طرف في هذه المعاهدة أن تبدي أي تحفظ ينطوي صراحة أو ضمناً على مخالفة لأحكامها أو خروج عن أهدافها.



المادة الثانية والأربعون

1 - لا يجوز لأية دولة طرف أن تنسحب من هذه المعاهدة إلا بناء على طلب كتابي ترسله إلى أمين عام منظمة المؤتمر الإسلامي.

2 - يرتب الانسحاب أثره بعد مضى ستة أشهر من تاريخ إرسال طلب الانسحاب إلى الأمين العام.

حررت هذه المعاهدة باللغات الإنجليزية والعربية والفرنسية، ولكل منها ذات الحجية، ومن أصل واحد يودع لدى الأمانة العامة لمنظمة المؤتمر الإسلامي، والتي تقوم بتسجيلها لدى منظمة الأمم المتحدة وفقا لأحكام المادة 102 من ميثاقها، وتوزيع نسخ معتمدة منها على الدول الأعضاء بمنظمة المؤتمر الإسلامي.

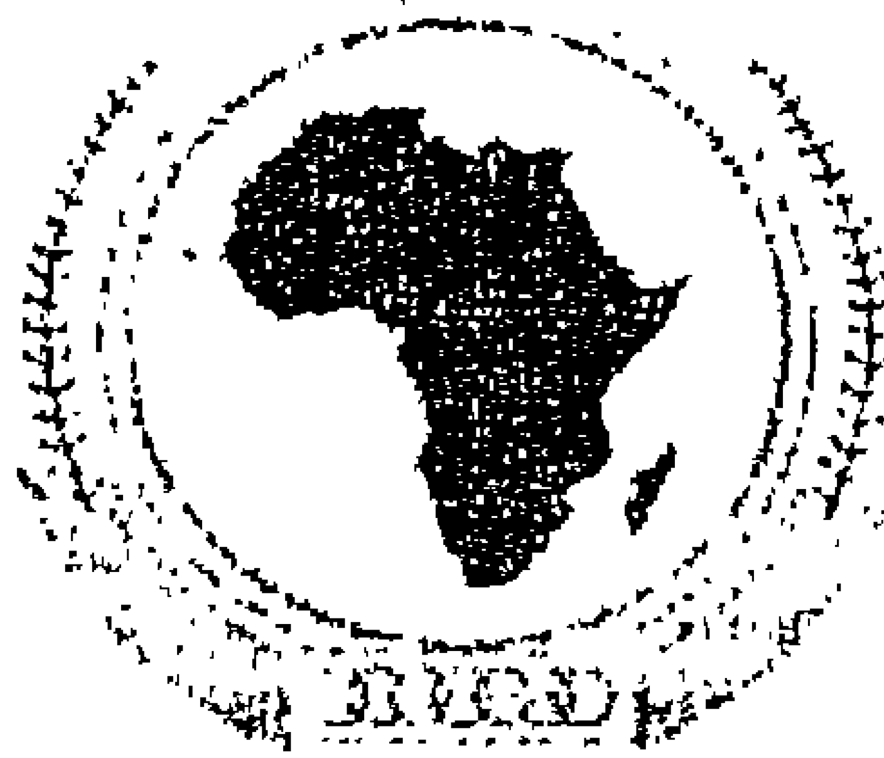


<terr-final.doc>/26resolution/kb

اتفاقية منظمة الوحدة الأفريقيـــة
حول منع ومحاربة الإرهـــــاب

اعتمدتها القمة الإفريقية الخامسة والثلاثين

يوم ١٤ يوليو ١٩٩٩



OAU CONVENTION ON THE PREVENTION AND COMBATING OF TERRORISM

The Member States of the Organization of African Unity:

Considering the purposes and principles enshrined in the Charter of the Organization of African Unity, in particular its clauses relating to the security, stability, development of friendly relations and cooperation among its Member States;

Recalling the previsions of the Declaration on the Code of Conduct for Inter-African Relations, adopted by the Thirtieth Ordinary Session of the Assembly of Heads of State and Government of the Organization of African Unity, held in Tunisia, Tunisia, from 13 to 15 June, 1994;

Aware of the need to promote human and moral values based on tolerance and rejection of all forms of terrorism irrespective of their motivations;

Believing in the principles of international law, the provisions of the Charters of the Organization of Africa Unity and of the United Nations and the latter's relevant resolutions on measures aimed at combating international terrorism and, in particular, resolution 49/60 of the General Assembly of 9 December, 1994 together with the annexed Declaration on Measures to Eliminate International Terrorism as well as resolution 51/210 of the General Assembly of 17 December, 1996 and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, annexed thereto;

Deeply concerned over the scope and seriousness of the phenomenon of terrorism and the dangers it poses to the stability and security of States;

Desirious of strengthening cooperation among Member States in order to forestall and combat terrorism;

Reaffirming the legitimate right of peoples for self-determination and independence pursuant to the principles of international law and the provisions of the Charters of the Organization of African United Nations as well as the African Charter on Human and People's Rights;

Concerned that the lives of innocent women and children are most adversely affected by terrorism;

Convinced that terrorism constitutes a serious violation of human rights and, in particular, the rights to physical integrity, life, freedom and security, and impedes socio-economic development through destabilization of States;

Convinced further that terrorism cannot be justified under any circumstances and, consequently, should be combated in all its forms and manifestations, including those in which States are involved directly or indirectly, without regard to its origin, causes and objectives.

Aware of the growing links between terrorism and organized crime, including the illicit traffic of arms, drugs and money laundering;

Determined to eliminate terrorism in all its forms and manifestations;

HAVE AGREED AS FOLLOWS:

PART 1

SCOPE OF APPLICATION

Article 1

For the purposes of this Convention:

1. "Convention" means the OAU Convention on the Prevention and Combating of Terrorism.

2. "State Party" means any Member State of the Organization of African Unity which has ratified or acceded to this Convention and has deposited its instrument of ratification or accession with the Secretary General of the Organization of African Unity.

3. "Terrorist act" means:

   (a) any act which is a violation of the criminal laws of a State Party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to:

(i) intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act, or to adopt or abandon a particular standpoint, or to act according to certain principles; or

(ii) disrupt any public service, the delivery of any essential service to the public or to create a public emergency; or

(iii) create general insurrection in a State.

(b) any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organizing, or procurement of any person, with the intent to commit any act referred to in paragraph (a) (i) to(iii).

Article 2

States Parties undertake to:

(a) review their national laws and establish criminal offences for terrorist acts as defined in this Convention and make such acts punishable by appropriate penalties that take into account the grave nature of such offences;

(b) consider, as a matter of priority, the signing or ratification of, or accession to, the international instruments listed in the Annexure, which they have not yet signed, ratified or acceded to; and

(c) implement the actions, including enactment of legislation and the establishment as criminal offences of certain acts as required in terms of the international instruments referred to in paragraph (b) and that States have ratified and acceded to and make such acts punishable by appropriate penalties which take into account the grave nature of those offences;

(d) notify the Secretary General of the OAU of all the legislative measures it has taken and the penalties imposed on terrorist acts within one year of its ratification of, or accession to, the Convention.

Article 3

1. Notwithstanding the provisions of Article 1, the struggle waged by peoples in accordance with the principles of international law for their liberation or self-determination, including armed struggle against colonialism, occupation, aggression and domination by foreign forces shall not be considered as terrorist acts.

2. Political, philosophical, ideological, racial, ethnic, religious or other motives shall not be a justifiable defence against a terrorist act.

PART II

AREAS OF COOPERATION

Article 4

1. State Parties undertake to refrain from any acts aimed at organizing, supporting, financing, committing or inciting to commit terrorist acts, or providing havens for terrorists, directly or indirectly, including the provision of weapons and their stockpiling in their countries and the issuing of visas and travel documents.

2. States Parties shall adopt any legitimate measures aimed at preventing and combating terrorists acts in accordance with the provisions of this Convention and their respective national legislation, in particular, they shall do the following:

(a) prevent their territories from being used as a base for the planning, organization or execution of terrorists acts or for the participation or collaboration in these acts in any form whatsoever;

(b) develop and strengthen methods of monitoring and detecting plans or activities aimed at the illegal cross-border transportation, importation, export, stockpiling and use of arms, ammunition and explosives and other materials and means of committing terrorist acts;

(c) develop and strengthen methods or controlling and monitoring land, sea and air borders and customs and immigration check points in order to pre-empt any infiltration by individuals or groups involved in the planning, organization and execution or terrorist acts;

(d) strengthen the protection and security of persons, diplomatic and consular missions, premises or regional and international organizations accredited to a State Party, in accordance with the relevant conventions and rules or international law;

(e) promote the exchange of information and expertise on terrorist acts and establish data bases for the collection and analysis of information and data on terrorist elements, groups, movements and organizations;

(f) take all necessary measures to prevent the establishment of terrorist support networks in any form whatsoever;

(g) ascertain, when granting asylum, that the asylum seeker is not involved in any terrorist act;

(h) arrest the perpetrators of terrorist acts and try them in accordance with national legislation, or extradite them in accordance with the provisions of this Convention or extradition treaties concluded between the requesting State and the requested State and, in the absence of a treaty, consider facilitating the extradition of persons suspected of having committed terrorist acts; and

(i) establish effective co-operation between relevant domestic security officials and services and the citizens of the States Parties in a bid to enhance public awareness of the scourge of terrorist acts and the need to combat such acts, by providing guarantees and incentives that will encourage the population to give information on terrorist acts or other acts which may help to uncover such acts and arrest their perpetrators.

Article 5

States Parties shall co-operate among themselves in preventing and combating terrorist acts in conformity with national legislation and procedures of each State in the following areas:

1. States Parties undertake to strengthen the exchange of information among them regarding :

(a) acts and crimes committed by terrorist groups, their leaders and elements, their headquarters and training camps, their means and sources of funding and acquisition of arms, the types or arms, ammunition and explosives used, and other means in their possession;

(b) the communication and propaganda methods and techniques used by the terrorist groups, the behaviour of these groups, the movement of the leaders and elements, as well as their travel documents.

2. States Parties undertake to exchange any information that leads to:

(a) the arrest of any person charged with a terrorist act against the interest of a State Party or against its nationals, or attempted to commit such an act or participated in it as an accomplice or an instigator;

(b) the seizure and confiscation of any type of arms, ammunition, explosives, devices or funds or other instrumentalities of crime used to commit a terrorist act or intended for that purpose.

3. State Parties undertake to respect the confidentiality of the information exchanged among them and not to provide such information to another State that is not party to this Convention, or to a third State Party, without the prior consent of the State from where such information originated.

4. States Parties undertake to promote co-operation among themselves and to help each other with regard to procedures relating to the investigation and arrest of persons suspected of, charged with or convicted of terrorist acts, in conformity with the national law of each State.

5. States Parties shall co-operate among themselves in conducting and exchanging studies and researches on how to combat terrorist acts and to exchange expertise relating to control of terrorist acts.

6. State Parties shall co-operate among themselves, where possible, in providing any available technical assistance in drawing up programmes or organizing, where necessary and for the benefit of their personnel, joint training courses involving one or several States Parties in the area of control of terrorist acts, in order to improve their scientific, technical and operational capacities to prevent and combat such acts.

PART III

STATE JURISDICTION

Article 6

1. Each State Party has jurisdiction over terrorist acts as defined in Article 1 when:

   (a) the act is committed in the territory of that State and the perpetrator of the act is arrested in its territory or outside it if this punishable by its national law;

   (b) the act is committed on board a vessel or a ship flying the flag of that State or an aircraft which is registered under the laws of that State at the time the offence is committed; or

   (c) the act is committed by a national or a group or nationals of that State.

2. A State Party may also establish its jurisdiction over any such offence when:

   (a) the act is committed against a national of that State; or

(b) the act is committed against a State or government facility of that State abroad, including an embassy or other diplomatic or consular premises, and any other property, of that State;

(c) the act is committed by a stateless person who has his or her habitual residence in the territory of that State; or

(d) the act is committed on board an aircraft which is operated by any carrier of that State; and

(e) the act is committed against the security of the State Party.

3. Upon ratifying or acceding to this Convention, each State Party shall notify the Secretary General of the Organization of African Unity of the jurisdiction it has established in accordance with paragraph 2 under its national law. Should any change take place, the State Party concerned shall immediately notify the Secretary General.

4. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over the acts set forth in Article 1 in cases where the alleged offender is present in its territory and it does not extradite that person to any of the States Parties which have established their jurisdiction in accordance with paragraphs 1or 2.

Article 7

1. Upon receiving information that a person who has committed or who is alleged to have committed any terrorist act as defined in Article 1 may be present in its territory, the State Party concerned shall take such measures as may be necessary under its national law to investigate the facts contained in the information.

2. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the offender or alleged offender is present shall take the appropriate measures under its national law so as to ensure that person's presence for the purpose of prosecution.

3. Any person against whom the measures referred to in paragraph 2 are being taken shall be entitled to:

(a) communicate without delay with the nearest appropriate representative of the State of which that person is a national or which is otherwise entitled, to protect that person's rights or, if that person is a stateless person, the State in whose territory that person habitually resides;

(b) be visited by a representative of that State;

(c) be assisted by a lawyer of his or her choice;

(d) be informed of his or her rights under sub-paragraphs (a), (b) and (c).

4. The rights referred to in paragraph 3 shall be exercised in conformity with the national law of the State in whose territory the offender or alleged offender is present; subject to the provision that the said laws must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

PART IV

EXTRADITION

Article 8

1. Subject to the provision of paragraphs 2 and 3 of this article, the States Parties shall undertake to extradite any person charged with or convicted of any terrorist act carried out on the territory of another State Party and whose extradition is requested by one of the States Parties in conformity with the rules and conditions provided for in this Convention or under extradition agreements between the States Parties and within the limits of their national laws.

2. Any State Party may, at the time of the deposit of its instrument of ratification or accession, transmit to the Secretary General of the OAU the grounds on which extradition may not be granted and shall at the same time indicate the legal basis in its national legislation or international conventions to which it is a party which excludes such extradition. The Secretary General shall forward these grounds to the State Parties.

3. Extradition shall not be granted if final judgement has been passed by a component authority of the requested State upon the person in respect of the terrorist act or acts for which extradition is requested. Extradition may also be refused if the competent authority of the requested State has decided either not to institute or terminate proceedings in respect of the same act or acts.

4. A State Party in whose territory an alleged offender is present shall be obliged, whether or not the offence was committed in its territory, to submit the case without undue delay to its component authorities for the purpose of prosecution if it does not extradite that person.

Article 9

Each State Party undertakes to include as an extraditable offence any terrorist act as defined in Article 1, in any extradition treaty existing between any of the State Parties before or after the entry into force of this Convention.

Article 10

Exchange of extradition requests between the States Parties to this Convention shall be effected directly either through diplomatic channels or other appropriate organs in the concerned States.

Article 11

Extradition requests shall be in writing, and shall be accompanied in particular by the following:

(a) an original or authenticated copy of the sentence, warrant of arrest or any order or other judicial decision made, in accordance with the procedures laid down in the laws of the requesting State;

(a) a statement describing the offences for which extradition is being requested, indicating the date and place of its commission, the offence committed, any convictions made and a copy of the provisions of the applicable law; and

(b) as comprehensive a description as possible of the wanted person together with any other information which may assist in establishing the person's identity and nationality.

Article 12

In urgent cases, the competent authority of the State making the extradition may, in writing, request that the State seized of the extradition request arrest the person in question provisionally. Such provisional arrest shall be for a reasonable period in accordance with the national law of the requested State.

Article 13

1. Where a State Party receives several extradition requests from different States Parties in respect of the same suspect and for the same or different terrorist acts, it shall decide on these requests having regard to all the prevailing circumstances , particularly the possibility of subsequent extradition, the respective dates of receipt of the requests, and the degree of seriousness of the crime.

2. Upon agreeing to extradite, States Parties shall seize and transmit all funds and related materials purportedly used in the commission of the terrorist act to the requesting State as well as relevant incriminating evidence.

3. Such funds, incriminating evidence and related materials, upon confirmation of their use in the terrorist act by the requested State, shall be transmitted to the requesting State even if, for reasons of death or escape of the accused, the extradition in question cannot take place.

4. The provisions in paragraphs 1, 2 and 3 of this Article shall not affect the rights of any of the States Parties or bona fide third Parties regarding the materials or revenues mentioned above.

PART V

EXTRA-TERRITORIAL INVESTIGATIONS (COMMISSION ROGAROIRE) AND MUTUAL LEGAL ASSISTANCE

Article 14

1. Any State Party may, while recognizing the sovereign rights of States Parties in matters or criminal investigation, request any other State Party to carry out, with its assistance and cooperation, on the latter's territory, criminal investigations related to any judicial proceedings concerning alleged terrorist acts and, in particular:

(a) the examination of witnesses and transcripts of statements made as evidence;
(b) the opening of judicial information;
(c) the initiation of investigation processes;
(d) the collection of documents and recordings or, in their absence, authenticated copies thereof;
(e) conducting inspections and tracing of assets for evidentiary purposes;
(f) executing searches and seizures; and
(g) service of judicial documents.

Article 15

A commission rogatoire may be refused:

(a) where each of the States Parties has to execute a commission rogatoire relating to the same terrorist acts;

(b) if that request may affect efforts to expose crimes, impede investigations or the indictment of the accused in the country requesting the commission rogatoire; or

(c) if the execution of the request would affect the sovereignty of the requested State, its security or public order.

Article 16

The extra-territorial investigation (commission rogatoire) shall be executed in compliance with the provisions of national laws of the requested State. The request for an extra-territorial investigation (commission rogatoire) relating to a terrorist act shall not be rejected on the grounds of the principle of confidentiality of bank operations or financial institutions, where applicable.

Article 17

The States Parties shall extend to each other the best possible mutual police and judicial assistance for any investigation, criminal prosecution or extradition proceedings relating to the terrorist acts as set forth in this Convention.

Article 18

The States Parties undertake to develop, if necessary, especially by concluding bilateral and multilateral agreements and arrangements, mutual legal assistance procedures aimed at facilitating and speeding up investigations and collecting evidence, as well as cooperation between law enforcement agencies in order to detect and prevent terrorist acts.

PART VI

FINAL PROVISIONS

Article 19

1. This Convention shall be open to signature, ratification or accession by the Member States of the Organization of African Unity.

2. The instruments of ratification or accession to the present Convention shall be deposited with the Secretary General of Organization of African Unity.

3. The Secretary General of the Organization of African Unity shall inform Member States of the Organization of the deposit of each instrument of ratification or accession.

4. No State Party may enter a reservation which is incompatible with the object and purposes of this Convention.

5. No State Party may withdraw from this Convention except on the basis of a written request addressed to the Secretary General of the Organization of African Unity. The withdrawal shall take effect six months after the date of receipt of the written request by the Secretary General of the Organization of African Unity.

Article 20

1. This Convention shall enter into force thirty days after the deposit of the fifteenth instrument of ratification with the Secretary General of the Organization of African Unity.

2. For each of the States that shall ratify or accede to this Convention shall enter into force thirty days after the date of the deposit by that State Party of its instrument of ratification or accession.

Article 21

1. Special protocols or agreements may, if necessary, supplement the provisions of this Convention.

2. This Convention may be amended if a State Party makes a written request to that effect to the Secretary General of the Organization of African Unity. The Assembly of Heads of State and Government may only consider the proposed amendment after all the States Parties have been duly informed of it at least three months in advance.

3. The amendment shall be approved by a simple majority of the State Parties. It shall come into force for each State which has accepted it in accordance with its constitutional procedures three months after the Secretary General has received notice of the acceptance.

Article 22

1. Nothing in this Convention shall be interpreted as derogating from the general principles of international law, in particular the principles of international humanitarian law, as well as the African Charter on Human and Peoples' Rights.

2. Any dispute that may arise between the States Parties regarding the interpretation or application of this Convention shall be amicably settled by direct agreement between them. Failing such settlement, any one of the State Parties may refer the dispute to the International Court of Justice in conformity with the Statute of the Court or by arbitration by other States Parties to this Convention.

Article 23

The original of this Convention, of which the Arabic, English, French and Portuguese texts are equally authentic, shall be deposited with the Secretary General of the Organization of African Unity.

ANNEX

LIST OF INTERNATIONAL INSTRUMENTS

(a) Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft of 1963;

(b) Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971 and the Protocol thereto of 1984;

(c) New York Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents of 1973;

(d) International Convention against the Taking of Hostages of 1979;

(e) Convention on the Physical Protection of Nuclear Material of 1979;

(f) United Nations Convention on the Law of the Sea of 1982;

(g) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1988;

(h) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf of 1988;

(i) Convention for the Suppression of Unlawful Acts against Maritime Navigation of 1988;

(j) Convention on the Marking of Plastic Explosives of 1991;

(k) International Convention for the Suppression of Terrorist Explosive Bombs of 1997;

(l) Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction of 1997.

ADOPTED BY THE 35TH ORDINARY SESSION OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT
12 - 14 JULY, 1999

No.	COUNTRY	SIGNATURE
1.	Algeria	14 JUL 1999
2.	Angola	26 AUG. 1999
3.	Benin	
4.	Botswana	
5.	Burkina Faso	18 DEC 2001
6.	Burundi	
7.	Cameroon	13 MAR 2002
8.	Cape Verde	
9.	Central Africa Republic	04 FEB 2003
10.	Chad	14 JUL
11.	Comoros	14 JUL 1999
12.	Congo	14 JUL 1999
13.	Democratic Rep. of Congo	09 SEP
14.	Cote d'Ivoire	

15. Djibouti .... 28 FEB 2003

16. Egypt .... 14 JUL 1999

17. Eritrea .... 4 JUL

18. Ethiopia .... 24 SEP

19. Equatorial Guinea ....

20. Gabon .... 14 JUL 1999

21. Gambia .... 14 JUL

22. Ghana ....

23. Guinea .... 19 JUN 2002

24. Guinea Bissau .... 4 JUL 1999

25. Kenya .... 10 DEC 2001

26. Lesotho .... 14 JUL

27. Liberia ....

28. Socialist People's Libyan Arab Jamahiriya ....

29. Madagascar .... 14 JUL 199

30. Malawi ....

31. Mali .... 14 JUL

32. Mauritania ....

33. Mauritius ....

34. Mozambique ....

35. Namibia ....

10 DEC 2001

36. Niger ....

26 APR 2002

37. Nigeria ....

38. Rwanda ....

39. Sahrawi Arab Dem. Republic ....

40. Sao Tome and Principe ....

41. Senegal ....

42. Seychelles ....

43. Sierra Leone ....

44. Somalia ....

45. South Africa ....

46. Sudan ....

47. Swaziland ....

Benjamin W. Mkapa

48. Tanzania ....

14 JUL 1999

49. Togo ....

50. Tunisia ....

51. Uganda .... 2.5.99.

52. Zambia ....

53. Zimbabwe ....

الكتب البيضاء

الصادرة عن وزارة الخارجية المصرية

١ - محاضر المحادثات السياسية والمذكرات المتبادلة بين الحكومة المصرية وحكومة المملكة المتحدة (مارس - نوفمبر ١٩٥١)، مطبعة مصر، ١٩٥١، (باللغة الإنجليزية).

٢- السودان من ١٣ فبراير ١٩٣١ إلى فبراير ١٩٥٣، المطبعة الأميرية، ١٩٥٣ (باللغة العربية).

٣- القضية المصرية: ١٨٨٢-١٩٥٤، المطبعة الأميرية، ١٩٥٥، (باللغة العربية).

٤ - قناة السويس: ١٨٨٨ - ١٩٥٤، المطبعة الأميرية، ١٩٥٦، (باللغة العربية).

٥- مبادرات السلام التى قام بها الرئيس محمد أنور السادات (١٩٧١-١٩٧٧، ١٩٧٨)، (باللغتين العربية والإنجليزية).

٦- التعاون الأفريقى - العربى: (١٩٧٧-١٩٧٨)، ١٩٧٨، (باللغتين العربية والإنجليزية).

٧- معاهدة السلام بين مصر وإسرائيل وملحقاتها والاتفاق التكميلى الخاص بإقامة الحكم الذاتى فى الضفة الغربية وقطاع غزة الموقعان فى واشنطن فى ٦ مارس ١٩٧٩، الطبعة الأولى ١٩٧٩، (باللغتين العربية والانجليزية).

٨- أزمة الشرق الأوسط: (الجزء الأول - ١٩٦٧)، ١٩٧٩، (باللغة الانجليزية).

٩- تقرير إنجاز: مصر والمسألة الفلسطينية (١٩٤٥ - ١٩٨٠)، ١٩٨١، الطبعة الأولى، (باللغات العربية - الإنجليزية - الفرنسية - الأسبانية).

١٠- الموقف المصرى فى المفاوضات الخاصة بإقامة ترتيبات انتقالية للضفة الغربية وغزة: (١٩٧٩-١٩٨٠)، ١٩٨١، (باللغات العربية - الإنجليزية- الفرنسة- الأسبانية).

١١- مصر ومعاهدة منع انتشار الأسلحة النووية، ١٩٨١، باللغات (العربية - الانجليزية - الفرنسية - الأسبانية).

١٢- مصر وعدم الانحياز، ١٩٨٣، (باللغة العربية).

١٣- مصر ونهر النيل: ١٩٨٣، (باللغات العربية والانجليزية والفرنسية).

١٤- تطبيع العلاقات بين جمهورية مصر العربية ودولة إسرائيل: ١٩٨٣ (باللغتين العربية والإنجليزية).

١٥- الدبلوماسية المصرية فى أمريكا اللاتينية (١٩٨٠-١٩٨٣)، ١٩٨٣، (باللغات العربية والإنجليزية والأسبانية).

١٦- مصر والمجموعة الأوروبية: ١٩٨٣، باللغات (العربية - الإنجليزية - الفرنسية).

١٧- التكامل بين جمهورية مصر العربية وجمهورية السودان الديموقراطية: (١٩٧٤-١٩٨٣)، ١٩٨٣، (باللغة العربية).

١٨- القوة متعددة الجنسيات والمراقبون، ١٩٨٣ ، (باللغتين العربية والانجليزية).

١٩- مصر والاستخدامات السلمية للطاقة النووية، ١٩٨٣ (باللغتين العربية والإنجليزية).

٢٠- عدم الانحياز والنظام الاقتصادى الدولى الجديد، ١٩٨٤ ، (باللغة الإنجليزية).

٢١- اتفاقية فيينا لقانون المعاهدات، ١٩٨٤ (باللغة العربية).

٢٢- اتفاقية فيينا لقانون البحار، ١٩٨٤ (باللغة العربية).

٢٣- قرارات وتوصيات وبيانات منظمة الوحدة الأفريقية من ١٩٦٣ إلى ١٩٨٣، (الطبعة الأولى) ١٩٨٥ (باللغة العربية).

٢٤- التحرك الدبلوماسى المصرى فى أمريكا اللاتينية ١٩٨٠ إلى ١٩٨٥، (الطبعة الأولى) ١٩٨٦ (باللغات العربية والإنجليزية والأسبانية).

٢٥- التحرك الدبلوماسى المصرى فى افريقيا من ١٩٨٣ إلى ١٩٨٥ (صادر ١٩٨٦) (باللغة العربية).

٢٦ - جمهورية مصر العربية والمنظمة العالمية للملكية الفكرية، ١٩٨٦ (باللغة العربية).

٢٧- الحوار الأفريقى - اللاتينى، ١٩٨٦ ، (باللغات العربية والإنجليزية والأسبانية).

٢٨- الدبلوماسية المصرية فى أفريقيا خلال اثنى عشر عاما (١٩٧٧-١٩٨٨)، ١٩٨٩ (باللغة العربية).

٢٩- الديون الخارجية لأفريقيا وأمريكا اللاتينية، ١٩٨٩ ، (باللغات العربية والإنجليزية والأسبانية).

٣٠- الصندوق المصرى للتعاون الفنى مع أفريقيا، (١٩٨١-١٩٨٩)، ١٩٩٠ (باللغات العربية والإنجليزية والفرنسية).

٣١- الكتاب الأبيض عن قضية طابا، ١٩٨٩ باللغة العربية.

٣٢- التعاون الثلاثى (مصر واليابان وافريقيا)، (١٩٨٥-١٩٩٠) (باللغات العربية والإنجليزية والفرنسية).

٣٣- الدبلوماسية المصرية فى أفريقيا خلال خمسة عشر عامًا (١٩٧٧-١٩٩١)، ١٩٩٢ (باللغة العربية) ١٩٩١.

٣٤ - جمهورية مصر العربية وحماية حقوق الملكية الفكرية، ١٩٩٩ ، باللغة العربية.

٣٥ - جمهورية مصر العربية وحماية حقوق الملكية الفكرية، ٢٠٠٦، باللغة العربية

٣٦ - أصول المراسم وقواعد البروتوكول، ٢٠٠٧ باللغة العربية.

٣٧ - الدبلوماسية المصرية في أمريكا اللاتينية (١٩٦٠ - ٢٠١٠) صادر في ١٥ مارس ٢٠١٠ (باللغة العربية).

٣٨ - مصر وحركة عدم الانحياز «من باندونج إلى شرم الشيخ ١٩٥٥ - ٢٠١٠» (باللغة العربية ٢٠١٠.

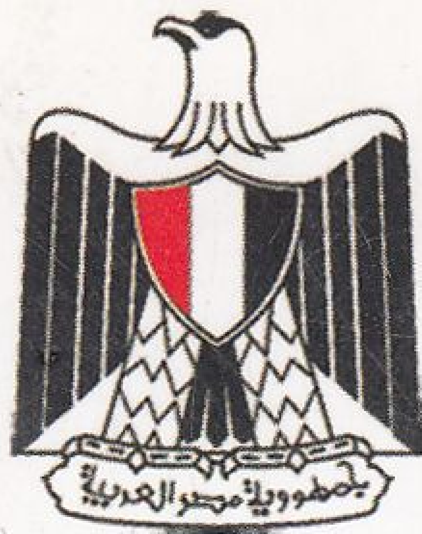
٣٩ - رئاسة مصر لحركة عدم الانحياز: تقرير إنجاز (يوليو ٢٠٠٩ إلى يونيه ٢٠١٠) ٢٠١٠ (بالعربية والإنجليزية).

٤٠ - دليل الدبلوماسي المصري إلى نظام حقوق الإنسان في الأمم المتحدة - (باللغة العربية) ديسمبر ٢٠١٠.

٤١ - مصر ومكافحة الإرهاب (مواجهة الدبلوماسية المصرية لتحديات الإرهاب) باللغة العربية - يناير ٢٠١١.

المحتويات

الموضوع	الصفحة

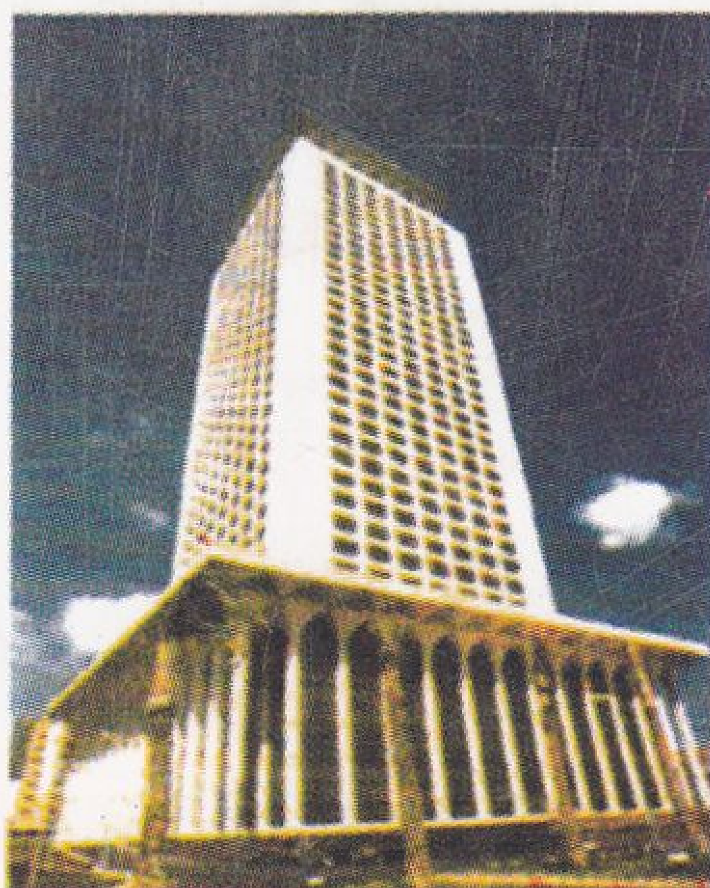


Ministry of Foreign Affairs

Egypt and Counter-Terrorism

(Egyptian Diplomacy and Challenges of Terrorism)

Cairo 2011



Ministry of Foreign Affairs